

BASIN

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**ORDER AND
WATER MASTER
REPORT**

IN THE WATER COURTS OF THE STATE OF MONTANA

CLARK FORK DIVISION

SWAN RIVER BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWAN RIVER)
RIVER DRAINAGE AREA INCLUDING ALL)
TRIBUTARIES OF THE SWAN RIVER IN)
FLATHEAD, LAKE AND MISSOULA)
COUNTIES, MONTANA.)

and the seal of the
of the State of Montana this
3rd day of August 1984

Chris Jensen
Clerk of the Water Courts

ORDER

After having reviewed the Water Master's Report of existing rights in the Swan River Basin, the Court finds that the Report meets the requirements for the Temporary Preliminary Decree set forth in 85-2-231(1) MCA 1978. The Court, being satisfied with the Findings of Fact and Conclusions of Law contained in the Report, hereby

ORDERS that the Water Master's Report (attached herein) and the abstracts of the individual water rights in the Swan River Basin be adopted as the Temporary Preliminary Decree for that Basin pursuant to Section 85-2-231(3) MCA 1978.

DATED this 27th day of July, 1984.

[Signature]
ROBERT M. HOLTER
Water Judge
Clark Fork Division

IN THE WATER COURTS OF THE STATE OF MONTANA

CLARK FORK DIVISION

SWAN RIVER BASIN

* * * * *

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWAN RIVER)
DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF THE SWAN RIVER IN)
FLATHEAD, LAKE AND MISSOULA COUNTIES,)
MONTANA.)

REPORT OF THE WATER MASTER ON THE

SWAN RIVER BASIN

This Report is submitted to the Honorable Robert M. Holter,
Water Judge of the Clark Fork Division, by Timothy J. Sullivan,
Water Master for the Swan River Basin.

FINDINGS OF FACT

1. Authority to Act

This Decree is issued by a Water Judge as authorized by
Chapter 697, Session Laws 1979 (85-2-201) as amended.

2. Description of Basin - Swan River

The Swan River Valley is a remote and sparsely populated
area famous for its outstanding beauty and recreational
advantages.

The Swan River begins at Crystal and Grey Wolf Lakes high in
the Mission Mountains and flows rapidly down the east slopes
reaching the Swan River Valley floor at Lindbergh Lake. From

Lindbergh Lake the river flows north for about forty miles to Swan Lake. It continues flowing north from Swan Lake for several miles and then loops to the west and empties into the Flathead Lake near the town of Bigfork. During its course, the Swan River is joined by numerous tributaries flowing out of the Mission Mountains to the west and the Swan Range to the east.

The Swan River Valley ranges from four to eighteen miles wide and is covered by lush forest growth. Precipitation in the valley averages about 25 inches annually. Precipitation in the mountain areas is much greater. Large volumes of water normally accumulate in heavy winter snowpacks resulting in considerable spring and early summer runoff.

Due to the harsh climate and the geographical conditions that isolate this area, the Swan River Valley was not settled until the late 1880's. In 1907, the forests were opened to commercial logging and since that time the lumber industry has provided an economic base for this region.

State Highway 83 runs north-south through the Swan River Valley between Bigfork and Clearwater Junction. The Swan River Valley is adjacent to the Bob Marshall Wilderness area and Highway 83 provides the only access to this area from the west. Wildlife is abundant throughout this region and the recreational opportunities are excellent. Highway 83 is also renowned for its scenic qualities and attracts tourists traveling to and from the Kalispell-Glacier area.

Today there are about 1,000 year-round residents living in the Swan River Valley. Other parttime residents enjoy the

seasonal changes in summer homes and cabins along the Swan River and the shorelines of Lindbergh and Swan Lakes. Although there are some irrigation, stock and other uses of water, the major demand on the water resources of the Swan River Basin is domestic use.

There were 557 claims of existing rights filed in the Swan River Basin for irrigation, stockwatering, domestic and other uses. The boundaries of this Basin are outline in the attached map.

3. Water Right Owner

Generally, the Court issues a water right to the appropriator, who is usually the claimant. If there is evidence that a change of ownership has occurred, the Court issues the right in the name of the new owner. If a change has occurred and the Court was not informed, the correct name can be added at a later date.

Some water rights are claimed by more than one person on separate claim forms. When both claimants insist on ownership, each is decreed the right but a remark is added to each decree noting the conflict.

4. Pre-1973 Water Rights

The general adjudication of water rights is to cover rights existing before 1973.

An existing water right includes those rights which would be protected under the law as it existed prior to July 1, 1973,

pursuant to 85-2-102(7) MCA.

5. Specifics of Procedure

The Court outlined and supervised the procedure of processing the claims to existing rights. A claim is examined for incomplete or inaccurate information. It is then reviewed for actual and beneficial use. The Court ordered the Department of Natural Resources and Conservation to assist in the processing of the claims.

The extent of each individual water right claim is further defined by these Findings of Fact and Conclusions of Law. Where a claimant filed two or more water rights on the same claim form, each right was separated and assigned an individual water right number. If the claim did not include all the information required by 85-2-224 MCA and the information was not available, the right was decreed within the limits of the information submitted.

The specifics of each individual claim is defined by an abstract of the water right. Each individual abstract of the claimed right includes (where possible):

- (a) The name and post office address of the owner of the right;
- (b) The amount of water, rate and volume included in the right;
- (c) The date of priority of the right;
- (d) The purpose for which the water included in the right is used;
- (e) The place of use and a description of the land, if any to which the right is appurtenant;
- (f) The source of water included in the right;
- (g) The place and means of diversion;
- (h) The inclusive dates during which the water is used each year;

- (i) Any other information necessary to fully define the nature and extent of the right.

6. Multiple Uses of a Water Right

Usually, a water right is decreed and the uses of the right are noted. In this general adjudication, the claimants filed separate claims for each use of the water right. Special claim forms were used for irrigation, stockwatering, domestic use and a catch-all form for all other uses. As a result of this unique filing, each use of a water right will be decreed separately. Therefore, a water right might be represented by two or more decreed uses.

A remark notation of the multiple use of a water right appears in the following instances:

1. Whenever an irrigation and an "Other Use" are for the same water right.

2. Whenever a water right has two or more "Other Uses."

In all cases where any multiple use of a right occurs, the combined flow rate and volume cannot exceed the original appropriation. The use of the right for several purposes does not increase the extent of the right, rather it decrees the right to alternate and interchange the use (purpose) of the water in accord with historic practices.

7. Source Name

Although some sources of surface water in the Swan River Basin were claimed under several names, the source is generally designated in the Decree by the name listed in the United States

Geological Survey. If the source has not been designated by the U.S.G.S., the source name of most common recognition in the locality has been used.

Commonly recognized reservoir and lake names will appear as source names. Those lakes and reservoirs that have no commonly recognized name are generally decreed under the name of the outflowing stream. The source name index of the Temporary Preliminary Decree cross-indexes any such source names for easy access.

When more than one source is claimed for a water right, the Court determines the major source and lists that source in the Decree. If more than one source is determined to be major, a separate claim is made for the claimant.

8 Priority Date

The priority date claimed is recognized as prima facie and so decreed except where it is incomplete; or it would result in a clearly erroneous interpretation of the law; or the claim's supporting documentation contradicts the claimed priority date.

Priority dates were decreed in accord with the following:

Where a claimed priority date included only a year, or a year and a month, the last day of the year and the last day of the month are decreed as the priority date.

Priority dates for groundwater rights after 1961 are reviewed for compliance with the Groundwater Act. Priority dates are not changed if it appeared that the wrong form had been used.

If a claim to groundwater after 1961 is based on use, the priority date is decreed as the date of filing the claim to the existing right.

9. Irrigation

Irrigation is a beneficial use of water. The limits of irrigation rights are guided by reliance on crop requirements and the overall efficiency of the irrigation system.

Flow Rates. Flow rates are decreed in gallons per minute (gpm) or in cubic feet per second (cfs) instead of the traditional miner's inches. Eleven gpm is equivalent to one miner's inch; forty miner's inches is equivalent to one cubic foot per second.

The flow rates of all previously decreed water rights are unchanged and issued in accord with the flow rate decreed in the original adjudication. When different claimants claimed water rights based on decrees and the total flow rate claimed between the claimants exceeded the amount on the document, a remark is entered on each decree noting those decreed uses of the earlier decreed right.

Flow rates based on a "filed notice of appropriation" or "use" right shall not exceed a reasonable application rate. A reasonable application rate for flood, sprinkling and pump systems which is in keeping with the general requirement of most users in the Basin shall not exceed 17 gpm per acre (1.5 miner's inches). The Court has decreed all claimed flow rates of 17 gpm per acre or less on such systems. However, if the submitted

documentation clearly documents a larger claimed flow rate, it was so decreed.

Water spreading, subirrigation and natural overflow and other irrigation systems not subject to quantification do not generally have a constant or consistent flow rate. The extent of the right is limited by the decreed volume. While the water rights for subirrigation and natural overflow are decreed, the owner of the right does not have a right to demand continued right of the water by these means of diversion.

Flow rates are measured by the point of diversion.

Volume. Volume is decreed in acre-feet beneficially used in one year. An acre-foot of water will cover one acre to a depth of one foot. Net crop consumption requirements are considered to be the total amount of irrigation water a crop will use during an average growing season. Water usage is dependent on the overall efficiency of the irrigation system. General maximum requirements of differing systems are outlined in the following table:

<u>Climatic Area</u>	<u>Flood Systems (diversion ditch) Volumes (AF/A)</u>	<u>Sprinkler & Pumped Diversion Systems Volumes (AF/A)</u>	<u>Water Spreading Systems, Subirrigation and Natural Overflow Volumes (AF/A)</u>
I	5.7	3.8	2.3
II	5.3	3.5	2.1
III	5.0	3.3	2.0
IV	4.6	3.1	1.9
V	4.4	3.0	1.8

Climatic areas are delineated by reliance on the designation of Irrigation Guide for Montana, USDA, S.C.S., 1973.

Volumes are measured at the point of diversion.

Any claimed volume not exceeding those designated in the table are decreed as claimed. Those exceeding the volume designated in the table are reduced in accord with those standards. In any case, where the documentation clearly supports a greater amount, it was so decreed.

Place of Use.

A. Verification of Place of Use. Irrigation rights are decreed to a defined place of use. In delineating the place of use, the claim is verified by the use of aerial photographs, field investigation and data submitted by the Department of Natural Resources and Conservation and the claimant. The place of use for irrigation is accepted as claimed except when the land did not appear irrigated or irrigable.

The place of use is designated by legal land description and can be further defined by reference to the maps and referenced aerial photographs included in the Court records.

B. Supplemental Water Rights and Place of Use. In many cases, several water rights with differing priority dates or different sources are combined to supplement the irrigation requirements of all or part of the same acreage. Each water right is decreed a specific place of use, flow rate and volume. Where these rights are used jointly, the combined volume and flow rate cannot exceed the amount of water necessary for the designated beneficial use.

The water user has the right to determine the volume contribution of each source or priority up to the maximum

volume.

Period of Use. Because the period of use can vary widely for each individual user, the period of use is accepted as claimed unless the claimed period of use contradicts a previously decreed or documented period of use.

If a period of use was not designated by the claimant, a period of use for irrigation claims was assigned in accord with a reasonable irrigation season for the climatic area. Those seasons are as follows:

<u>Climatic Area</u>	<u>Period of Use</u>
I	3-15 to 11-15
II	4-01 to 10-30
III	4-15 to 10-15
IV	4-20 to 10-10
V	4-25 to 10-05

Place and Means of Diversion. The place and means of diversion are designated. The place of diversion is specifically designated by legal land description.

Secondary points of diversion are noted when possible; however, the claim and claimant's map in many cases will more specifically define the point of diversion.

When a point of diversion is found on a source other than the one claimed, the other source points of diversion are decreed when that source is determined to be an incidental part of the original source. A remark will appear with the other source points of diversion that identifies the incidental source. If the other source is not considered incidental, a separate claim is created.

10. Irrigation Districts

Some irrigation districts used their water rights on designated places of use and the right has become appurtenant to the land. In those cases, the claim was verified and decreed in accord with the criteria used for all other irrigation claims.

Where the irrigation district engaged in the sale of water or the place of use changed on a continuing basis, the claimed flow rate and volume were decreed as claimed without an attempt to verify usage.

The several rights on one claim form are identified as being supplemental. Water rights from separate sources that water the same land are identified as being supplemental.

11. Domestic Use

Flow Rate. The average flow rate from a groundwater source in the State of Montana is approximately 25 gallons per minute. However, a flow rate of 40 gallons per minute is acceptable. As a result, those domestic rights with a claimed flow rate of 40 gallons per minute or less are so decreed. Where the claimed flow rate and the accompanying documentation does not substantiate a flow rate, the right is decreed a flow rate of 25 gallons per minute. When a flow rate claimed had been previously decreed, the flow rate is not changed.

Volume. A reasonable volume of water for domestic use is calculated at 1.0 acre-feet per household with an additional .5 acre-foot for each quarter acre of yard.

Flow rates and volumes are measured at the point of

diversion.

Place of Use. Land irrigated as part of the domestic use is decreed as part of the place of use. If a claim for domestic use included irrigation separate from the domestic use, the irrigated land was decreed separately.

Period of Use. The period of use claimed is the period of use decreed.

12. Stockwater

Volume. Stockwater is a beneficial use of water. The limit of the right is based on a consumptive use of 30 gallons per day per animal unit. An animal unit is described as a cow/calf pair or equivalent. The number of animal units is in most instances limited to the reasonable carrying capacity of the area historically serviced by the water source. In those cases when historically the source is utilized more intensively, for instance in the case of a confined stockyard, the right increases based on the number of animal units. Finally, where the stockwater is impounded in a reservoir, a right to reasonable carryover for use in future years is acknowledged.

Flow Rate. The flow rates for groundwater developments for stockwatering purposes were governed by the same principles on domestic groundwater sources. Those rights involving stock drinking directly from instream surface water sources do not reflect a specific flow rate. The instream flow rate shall be reasonable and shall not exceed the extent of the right as historically utilized.

Place of Use. Where stock drink directly from the surface water source, the point of diversion and place of use seek to show all land adjacent to the source.

13. Reservoirs and Storage of Water

A storage right can exist for water that would otherwise go to waste. This right is dependent upon the lack of interference with other rights.

The right to appropriate water by storage in a reservoir is a right separate from a water right. Actual beneficial use of stored water creates a water right. The Court decrees the limits of that right.

14. Other Uses

In the Swan River Basin, claims for recreational, power generation, municipal, fish and wildlife, fire protection, fish raceways and commercial use were submitted.

The Court finds that no individual nor Department filed any valid instream claims for fish, wildlife and recreational instream uses.

"Murphy Rights." Section 1 of Chapter 345 of the 1969 Session Laws provided for the appropriation of water in designated streams to maintain fish and wildlife habitat. The Court subjects these rights to all prior existing rights pursuant to 89-801 RCM 1947. The flow rate and volume of these rights are subject to change should the Court determine the waters are needed for a use determined to be more beneficial to

the public.

Flow Rates. Flow rates are decreed as claimed unless the documentation accompanying the claim supported a different amount. The Court could not, however, determine a flow rate for the minimal amount necessary to sustain fishing, wildlife, recreation and navigation. Flow rates for mining, power generation and fish raceways are accepted when it is determined that the amount claimed is less than the average annual stream flow. Rates in excess of the average annual stream flow are reduced to that average rate.

Volumes. Volumes are decreed as claimed unless the documentation accompanying the claim support a different amount.

Commercial and industrial use are limited to a volume based on a twelve hour day unless documentation supports a higher volume based on an extended period of use.

Agricultural spraying was limited to a reasonable volume of five acre-feet unless documentation supported a higher volume.

Incidental Use. Many purposes, especially fish, wildlife and recreation, are incidental to another beneficial use of water. The extent of the water right for an incidental use is no more than the extent of the primary use of the water.

Non-Consumptive Use. The Court recognizes that several uses do not consume water. A remark is added to these uses declaring the use to be non-consumptive.

15. Standards

Standards have been used by the Water Court to aid in

calculating flow rate, volume and other elements of a water right. These standards are guidelines only and can be modified to reflect an individual's own circumstances upon objection.

16. Claimed Federal Reserved Water Rights

The determination of water rights in the Swan River Basin shall be subject to the contents of any future compact negotiated by the Montana Reserved Water Rights Compact Commission and the United States of America which will determine reserved water rights of the United States Forest Service. Should no compact be approved in accordance with Title 85, Part 2, Chapter 7, Montana Code Annotated (1983) or applicable law, this Preliminary Decree is subject to the determination, in accordance with State procedure, of water rights claims of the United States of America on behalf of the United States Forest Service. The general adjudication of water rights is to cover rights to the use of water which would be protected under the law as it existed prior to July 1, 1973, subject to the livestock and domestic uses exempted in 85-2-222 Montana Code Annotated (1983).

17. Terminated Claim

The Water Court takes judicial notice of water claims that have been terminated during this adjudication process.

Instances are:

1. A claim filed with the adjudication Field Office and withdrawn and terminated by the claimant because of

self-confessed errors and filed anew.

2. Claims filed and then withdrawn at claimant's request.

3. Claims that appear in the abstracts of water rights as part of the Temporary Preliminary Decree because they were assigned a "number" by the Helena, Montana office, and later returned to the forwarding Field Office; and these claims have a remark on the abstract of their termination for one reason or another from claimant. These claims are "alphabetized" and stored in the archives of the Department of Natural Resources and Conservation by Field Offices.

The claims are printed in both decrees. The "0" prefix will tell the computer to print a statement saying, "The Court finds no right for this claim, as it has been withdrawn at the request of the claimant."

4. Claims terminated by the Field Offices and the DNRC before an Order of this Court of April 22, 1982, ordering that these claims were not to be terminated but stamped at the time of filing and processed as all other claims, even though there was a failure of payment of fees. All claims terminated because of lack of payment will be considered specially by this Court at the time of Temporary Preliminary Decree hearings.

Based on the Findings of Fact, the Water Judge makes the following:

CONCLUSIONS OF LAW

1.

This Report meets the requirements for a Preliminary Decree

as required by 85-2-321 MCA 1979.

2.

For each person who claims an existing water right in this Basin, there is attached to this Temporary Preliminary Decree a statement defining the nature and extent of his claimed right, as found by the Water Court and as requested by 85-2-231 MCA and 85-2-234 MCA; these Conclusions make all these attached statements a part of this Report.

3.

All notices, all substantive and procedural requirements of court adjudication of water claims and requirements for hearing and decision have been fulfilled.

4.

The water adjudicated in this cause is a water use that is of a beneficial use and is the property of the State of Montana and for the use of these named water claimants, subject to their appropriate rights as specified in this Report.

5.

All Findings are merged with these Conclusions of Law to give them the force of law in this Report.

6.

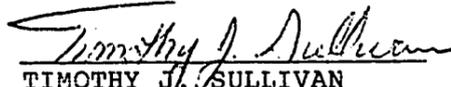
Should the reserved water rights claims of the United States of America on behalf of the United States Forest Service be determined by a compact approved in accordance with Title 85, Part 2, Chapter 7, Montana Code Annotated (1983), or approved in accordance with applicable law, objections to the Preliminary Decree may be made by the United States of America, the

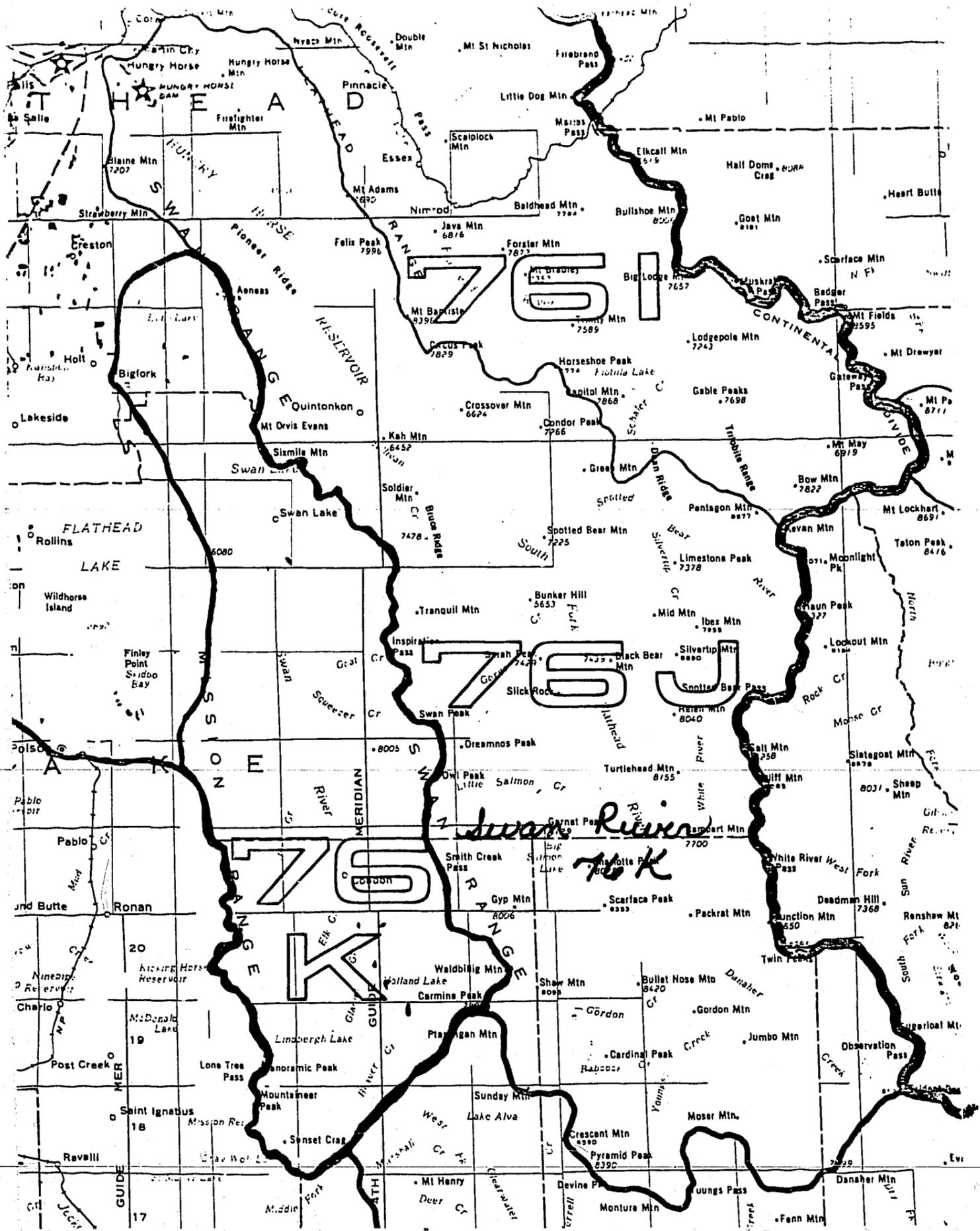
Department of Natural Resources and Conservation, a person named in this Decree, or any other person for good cause shown.

Should no compact be approved, the claim of the United States of America on behalf of the United States Forest Service will be determined by this Court in accordance with State procedure.

No Final Decree will be issued on the Swan River Basin until each person who has filed a claim of existing right and the United States of America on behalf of the United States Forest Service has been notified of the determination of all water right claims in the Basin, including the reserved water rights of the United States Forest Service, and any proper objections to those determinations have been heard.

DATED this 27th day of July, 1984.


TIMOTHY J. SULLIVAN
Water Master
P.O. Box 879
Bozeman, MT 59715



761

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Swan River Fork
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Map labels include: Hungry Horse Mtn, Firebrand Pass, Baldhead Mtn, Swan Peak, Flathead Lake, Snake River Reservoir, Snake River, and various other peaks and passes.

IN THE WATER COURTS OF THE STATE OF MONTANA

CLARK FORK DIVISION

SWAN RIVER BASIN

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OF ALL THE WATER, BOTH SURFACE AND)
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MEMORANDUM

Early in our State's history (March 12, 1885) we were concerned about measurement of Montana water.

85-5-302 MCA, whose genesis was a statute of 1905, is still our guiding law. It states ". . . shall be required to have suitable headgates at the point wherein a ditch taps a stream and shall also, at some suitable place on the ditch and as near the head thereof as practicable, place and maintain a proper measuring box, weir or other appliance for the measurement of water flowing in such ditch."

Now, as we move into the present and future of water and its management, measurement of that water is most important.

DATED this 27th day of July, 1984.


TIMOTHY J. SULLIVAN
Water Master
P.O. Box 879
Bozeman, MT 59715

IN THE WATER COURTS OF THE STATE OF MONTANA
CLARK FORK DIVISION, SWAN RIVER BASIN

IN THE MATTER OF THE ADJUDICATION)
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MEMORANDUM

The command of the Legislature was to "expedite" and facilitate the adjudication of the water rights of Montana.

To assure a speedy, simple and effective program for adjudication of Montana water, there was created a specific statewide program, operated by a newly created Water Courts system, all under the supervision of the Montana Supreme Court.

The Act creating the adjudication program and its Water Courts became law May 11, 1979; immediately on June 8, 1979, the Supreme Court promulgated its rules and prescribed forms and set in motion a statewide filing of water right claims.

Meanwhile, between May 11, 1979 and June 12, 1979, Water Judges were elected. Present Water Judges are Bernard W. Thomas, Robert M. Holter and Roy C. Rodeghiero. Early in June, 1979, these Water Judges met and began supervising (under Supreme Court direction) the preparing, filing and collecting of more than 200,000 water claims in the State of Montana. These Judges met and elected Judge W. W. Lessley to act as a Chief

Water Judge to give direction and unity to their work. (In 1981 a statute amending the original Adjudication Act was passed and Lessley was appointed Chief Water Judge by Chief Justice Haswell of the Supreme Court.)

On April 30, 1982, all water claims were in under the direction of the Water Courts and clarification by field personnel began.

In early November, 1980, the first Water Master was appointed and adjudication began in two large basins of the Powder River. 10,302 water claims were adjudicated, 316 objections were filed; hearings held on 146 cases. A final decree on both basins was filed April 14, 1983, and only one appeal from all that adjudication has been filed in the Supreme Court.

Meanwhile in June, 1983, the Water Courts had the 200,000 claims computerized and in a single master computer located in Helena. The Courts are now supervising the final verification of all claims for the final computer run for all preliminary decrees.

The organization and staff of the Water Courts has grown. As directed by the Legislature, it has three Water Judges, a Chief Water Judge, three Water Masters, an engineer assigned to and actively working with the Water Courts, and two office employees skilled in office skills, word processing, docket-base computer work and in Water Courts procedures and forms.

The Water Courts have established their own Rules of Court, specialized forms for objections, pre-pre trial and pre-trial

procedure for water case hearings and trials; all objections are heard promptly and accurate recording machines prepare Court records and transcripts of all hearings.

As of now, final decrees have been issued in three Basins.

The Water Courts in 1984 will adjudicate at least sixteen Basins; there is a real possibility to adjudicate 20 Basins.

Specifically, 13,506 individual water claims have been clarified, verified and adjudicated by preliminary decrees as of January, 1984, with final decrees ahead.

This comprehensive Water Court program has been challenged in Federal Courts. The words of the District Federal Judges who first heard the challenge are significant. The key phrase of the evaluation of Montana's program by Chief District Judge Battin and District Judge Hatfield is: "It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient." Federal Judges Battin and Hatfield spell out the specifics of the working of the Montana Water Courts in this clear and practical language:

"By enactment of the last legislature of the State of Montana, Senate Bill 76, as yet uncodified, has provided the vehicle for adjudicating claims of existing water rights in Montana. The provisions of that Bill bear heavily upon this Court's decision to dismiss these cases on the basis of wise judicial administration.

In essence the Bill provides for adjudication of all existing water rights in the State of Montana. Section 6 of the Bill provides that:

- 1) The action for the adjudication of all existing water rights under [this act] is commenced with the issuing of the order by the Montana Supreme Court to file a statement of a claim of an existing water right as provided in [section 16].
- (2) The water judge for each division shall exercise jurisdiction over all matters concerning the determination and interpretation of existing water rights within his division.

....

- (4) All matters concerning the determination and interpretation of existing water rights shall be brought before or immediately transferred to the water judge in the proper water division unless witnesses have been sworn and testimony has been taken by a district court prior to the date of the Montana Supreme Court order as provided in [section 16].

Section 16 of the Bill provides that:

- (1) The Montana Supreme Court shall within 10 days of the filing of the petition by the attorney general issue an order to file a statement of a claim of an existing water right in substantially the following form:

"WATER RIGHTS ORDER

FAILURE TO FILE A CLAIM AS REQUIRED BY LAW WILL RESULT IN A CONCLUSIVE PRESUMPTION THAT THE WATER RIGHT OR CLAIMED WATER RIGHT HAS BEEN ABANDONED.

. . . This order is notice of commencement of procedures for the general adjudication of existing rights to the use of water and of the requirement to file a claim for certain existing rights to the use of water. Every person, including but not limited to an individual, partnership, association, public or private corporation, city or other municipality, county, state agency of the State of Montana, and federal agency of the United States of America on its own behalf or as trustee for any Indian or Indian tribe, asserting a claim to an existing right to the use of water arising prior to July 1, 1973, is ordered to file a statement of claim to that right with the department no later than June 30, 1983. . . ."

- [3] The above-cited sections reflect both the policy and the essential mechanism for adjudication of state water rights. Adjudication by adversary proceeding initiated by one claimant against all others in his drainage has been for-

saken in favor of blanket adjudication of all claims, including federal and federal trust claims, in a systematic manner. The procedure outlined in the Bill is that of: (1) filing of an order by the Supreme Court requiring the filing by all claimants of statements of each claim; (2) upon filing of all claims, submission of the claims to the water judge in the division or district in which the claimed water is diverted; (3) through utilization of special masters, the rendering, by the water judge, on the basis of the filed claims, of a preliminary decree of water right; (4) after passage of time without objection to the preliminary decree, entry of a final decree of water right which is binding upon all parties; (5) if objection is timely taken by the claimant to the preliminary decree, judicial determination of the right, but without the necessity of joining all users in the claimant's drainage.

And the Court concludes:

As the general adjudication has been initiated by recent order of the Montana Supreme Court, it would seem that the greater wisdom lies in following Colorado River, and on the basis of wise judicial administration, deferring to the comprehensive state proceedings. The federal proceedings are all in their infancy; service of process has been but recently completed. The state adjudication is thorough, as opposed to the piecemeal proceedings initiated by the Government. There is no jurisdictional question preliminarily attending the state adjudication; all such questions have been eliminated by the McCarran Amendment. The state forum will likely be more convenient, geographically, than the federal forum.

The original hearing before the 9th Circuit carried the minority opinion of Circuit Judge Merrill. His statements are significant as bearing on the need and practicality of the Montana Water Courts operation:

I agree with the district court. Water adjudication is essentially a local concern, and in every western state water scarcity poses a problem not just to Indians but to everyone. In

my view, it is highly important that each state be accorded room for an effort to solve its water scarcity problem in the manner it regards as most appropriate. Here so long as Montana gives recognition to Indian water rights and their establishment pursuant to federal law, I see no good reason why Indians shouldn't be joined with other water users in the state in order to achieve a comprehensive state adjudication.

Finally, the federal law on the Montana Water Courts, as spoken by the Supreme Court of the United States, through Justice Brennan for the Majority:

In light of this history, the parties in this case have engaged in a vigorous debate as to the exact meaning and significance of the Arizona and Montana Enabling Acts. We need not resolve that debate, however, nor need we resort to the more general doctrines that have developed to chart the limits of state authority over Indians, because we are convinced that, whatever limitation the Enabling Acts or federal policy may have originally placed on state court jurisdiction over Indian water rights, those limitations were removed by the McCarran Amendment.

And on specific problems of Indian rights and federal reservations vis-a-vis Montana State program by adjudication, the Justice continued:

But the most important consideration in Colorado River, and the most important consideration in any federal water suit concurrent to a comprehensive state proceeding, must be the "policy underlying the McCarran Amendment," 424 U.S., at 820; see Moses H. Cone Hospital, supra, at _____, and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from the application of that policy or from the general principles set out in Colorado River.

Even more important is Justice Brennan's clear approval of what the Montana Water Courts can do:

. . . assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings.

We here at the Montana Water Courts know the Justice is not retreating from general principles of Indian rights, and federal reservations. In these words he makes the understanding clear:

Nothing we say today should be understood to represent even the slightest retreat from the general proposition we expressed so recently in New Mexico v. Mescalero Apache Tribe, ante, at _____, (1983): "Because of their sovereign status, [Indian] tribes and their reservation lands are insulated in some respects by an 'historic immunity from state and local control,' Mescalero Apache Tribe v. Jones, 411 U.S. 145, 152 (1973), and tribes retain any aspect of their historical sovereignty not 'inconsistent with the overriding interests of the National Government.' Washington v. Confederated Tribes, [447 U.S. 134, 153 (1980)]." Nor should we be understood to retreat from the general proposition, expressed in Colorado River, that federal courts have a "virtually unflagging obligation. . . to exercise the jurisdiction given them." 424 U.S., at 817. See generally Moses H. Cone Hospital, supra, at _____. But water rights adjudication is a virtually unique type of proceeding, and the McCarran Amendment is a virtually unique federal statute, and we cannot in this contract be guided by general propositions.

Further:

We also emphasize, as we did in Colorado River that our decision in no way changes the substantive law by which Indian rights in state water adjudication must be judged. State courts, as much as federal courts, have a solemn obligation to follow federal law. Moreover, any state court decision alleged to abridge Indian water rights protected by federal law can expect to receive, if brought for review before this Court, a particularized and exacting scrutiny commensurate with the powerful federal interest in safeguarding those rights from state encroachment.

The Act creating the Water Courts and its jurisdiction and its operation meets the caveats of Justice Brennan's opinion. This is evident in the careful adjustment of the general adjudication process to special problems of Indian and federal reserved rights.

85-2-701. Legislative intent. Because the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the general adjudication of existing water rights under the Montana Water Use Act. Therefore, it is the intent of the legislature that the attorney general's petition required in 85-2-211 include all claimants of reserved Indian water rights as necessary and indispensable parties under authority granted the state by 43 USC 666. However, it is further intended that the state of Montana proceed under the provisions of this part in an effort to conclude compacts for the equitable division and apportionment of waters between the state and its people and the several Indian tribes claiming reserved water rights within the state.

85-2-702. Negotiation with Indian tribes. (1) The reserved water rights compact commission, created by 2-15-212, may negotiate with the Indian tribes or their authorized representatives jointly or severally to conclude compacts under 85-2-701. Compact proceedings shall be commenced by the commission. The commission shall serve by

certified mail directed to the governing body of each tribe a written request for the initiation of negotiations of an authorized representative of the tribe to conduct compact negotiations. Upon receipt of such written designation from the governing body of a tribe, compact negotiations shall be considered to have commenced.

(2) When the compact commission and the Indian tribes or their authorized representatives have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of the state of Montana and with the governing body for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana, any affected tribal governing body, and the congress of the United States.

(3) Upon its approval by the Montana legislature and the tribe or federal agency, the terms of a compact must be included in the preliminary decree as provided by 85-2-231. However, if approval of the state legislature and tribe or federal agency has not been accomplished by July 1, 1985, all federal and Indian claims for reserved water rights that have not been resolved by a compact must be filed with the department within 60 days. These new filings shall be used in the formulation of the preliminary decree and shall be given treatment similar to that given to all other filings.

85-2-703. Negotiation with federal government. The compact commission may also enter into separate negotiations with the federal government for the conclusion of compacts concerning the equitable division and apportionment of water between the state and its people and the federal government claiming non-Indian reserved waters within the state. The terms and conditions of such negotiations shall be the same as provided in this section for negotiations with Indian tribes.

85-2-704. Termination of negotiations. The commission or any other party to the negotiations may terminate negotiations by providing notice to all parties 30 days in advance of the termination date. On the termination date, the suspension of the application of part 2 provided for in 85-2-217 shall also terminate. The tribe or federal agency shall file all of the claims for reserved rights within 60 days of the termination of negotiations.

A strict construction of the language used in 85-2-231(d) which states, "The preliminary decree shall be issued within 90 days after the close of the special filing period.", read together with 85-2-270(3), which says that the reserved rights not resolved by an approved compact "must be filed" and "shall be used in the formulation of a preliminary decree" indicates that either approved compacts or filed claims are technically necessary to issue a preliminary decree. However, this strict construction of the legislation could frustrate the clear legislative purpose underlying SB76, which is to "expedite and facilitate" the general adjudication of water rights, by slowing the adjudication process.

The Legislature has authorized the use of an interlocutory decree or "other temporary decrees" prior to the issuance of a preliminary decree when it is needed for "the orderly administration of water rights," 85-2-231. The inclusion of this procedure supports the argument that a preliminary decree should not be issued lacking an approved compact or filed reserved right claims. On the other hand, it also supports the argument that the Court should proceed expeditiously to adjudicate basins even though the extent and quantity of federal reserved right claims is undetermined and unknown.

After close study of the language pertaining to preliminary decrees in the Water Use Act, we should conclude that 85-2-231 technically requires inclusion of approved compacts or filed claims for reserved rights. But as a practical matter it is insignificant whether the decree is called a preliminary or a

temporary decree if they both do the same thing. Furthermore, if both decrees have the same legal effect, the use of the normal procedure, which involves issuance of a preliminary decree, makes sense because it is consistent with the general adjudication procedures established by the Legislature and the Water Courts, and, therefore best serves the orderly administration of water rights.

All pertinent case law in talking of state adjudication programs speak of a "state-wide unified adjudication" of water.

As stated, our Federal District Court of Montana, (Chief Judge James F. Battin and Judge Paul G. Hatfield), have characterized Montana's adjudication of water with these words:

"It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient."

And the 9th Circuit granted a stay of Federal actions as preferable to dismissal. The Court clearly states:

"Moreover the question of adequacy of the State proceedings is one best decided by the State Courts in the first instance."

Further, the McCarran Amendment as interpreted in Colorado River allows and encourages a comprehensive water adjudication to quantify Indian water rights.

And Justice Brennan said:

"... and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from

the application of that policy or from the general principles set out in Colorado River. In the cases before us, assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings."

What of our general adjudication of Montana water? Is it comprehensive? Is it effective? Clearly SB76 (C. 697) is comprehensive. Its mandate from the Legislature is to adjudicate all the water resources. It seeks and will quantify all of Montana's water. The water of individuals, municipal corporations, other corporate entities, Indian water rights, and other Federal reserved rights in Montana - all of this to the end that statewide we will have certainty as to our water - where it is, who owns it, what it is used for, how long it is used, the source. In fact, the caption item of the water right issued by the Water Courts best shows its comprehensive character of over 200,000 individual and corporate water claims and unnumbered Indian rights and Federal reserved rights. Here is a caption of the water right issued:

CERTIFICATE OF WATER RIGHT NO. W-1005050-00

OWNER:

PRIORITY DATE:

FLOW RATE:

VOLUME:

SOURCE:

PURPOSE:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

PLACE OF USE:

GENERAL REMARKS:

Comprehensive is the key description of the Water Courts plan.

Long before actual gathering of the thousands of water claims, the Court with the help of the Department of Natural Resources and Conservation prepared an Atlas of Water Resources by Hydrologic Basins. This inventory of surface water resources consists of drainage basin maps showing location and relation to each other.

From the three major Continental Basins, a division was made within the State of six major drainage basins based on the streams which flow out of the State and do not reenter: the Kootenai, Clark Fork of the Columbia, St. Mary, Missouri, Yellowstone and Little Missouri. The Belle Fourche drainage of the Cheyenne River in South Dakota extends into a small area of the southeast corner of Montana.

Then the six major drainage basins were divided into 15 sub-major drainage basins consisting of the Upper Clark Fork, Lower Clark Fork; Flathead and Kootenai River Basins in the Columbia River drainage; the Upper Missouri tributaries; Missouri-Smith, Missouri-Sun-Marias; Missouri-Musselshell; Milk; and Missouri-Fork Peck Basins in the Missouri River drainage; the Upper Yellowstone; Middle Yellowstone; and Lower Yellowstone

River Basins in the Yellowstone drainage; the St. Mary River Basin in the Hudson Bay drainage; and the Little Missouri River Basin.

Then again the 15 sub-major basins were divided into 85 minor drainage basins representing the minor tributaries within the State. On a statewide plan of 85 basins, the Court began its statewide adjudication. All of these are based on the work of the Office of Water Data Coordination; U.S. Department of the Interior; Geological Survey Atlas of stream gaging stations. Slight modifications clearly do not significantly change any of the OWDC basins.

The Atlas includes twelve maps showing the 15 sub-major drainage basins with two of these maps showing more than one of the drainage basins on one map page. The maps show culture in black, power lines in grey, and streams and stream names in blue. The major, sub-major, and minor drainage basin boundary lines are shown in three significant widths of red lines. Existing and proposed flood control projects are located by red stars with open stars representing potential projects while closed stars designate existing projects. Blue triangles represent U.S.G.S. stream discharge gaging stations with righted triangles representing stations active as of January 1, 1970, and inverted triangles representing those stations, used in the past, but now discontinued. Green areas on the maps represent presently irrigated land according to the county-wide surveys being conducted by the water resources survey division, Montana Water Resources Board.

The last two maps in the Atlas are prepared by the Montana Water Resources Board staff from information supplied by cooperating agencies.

The first is one prepared through a joint effort of the Water Board and the Montana Fish and Game Department. Shown in green are the fishing access sites, state parks and monuments, and state recreation areas maintained by the Fish and Game Department throughout the State. An index to this map provides the proper names of each of these sites as of January 1, 1970.

The last map in the Atlas shows mountain precipitation by colored isohyet lines representing increments of annual precipitation above 20 inches. This map was prepared in cooperation with the Soil Conservation Service and the National Weather Service.

This detailed information should make clear the detailed planning of our comprehensive, statewide program.

The unification of our statewide plan of state court adjudication of water rights is evident in our approach toward Indian water rights and Federal reserved rights.

The Compact Commission is organized; is working; is talking with the Indian tribes concerning compacts on their water. The Compact Commission is attempting to secure talks with the Forest Service.

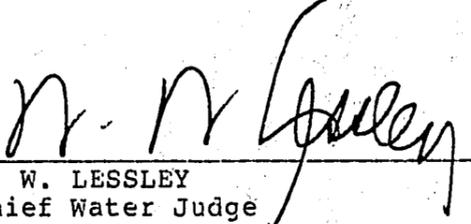
All of this procedure is considered by the Water Courts because in the words of the law, ". . . the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the

general adjudication of existing water rights. . ."

And so the Water Courts Rule of Court Number 10 and its findings of fact on compacts and federal reservations meet the requirement for unified proceedings. And in some extreme cases to meet what the words of the statute call "the orderly administration of water rights prior to the issuance of a preliminary decree" the Water Court can use an "interlocutory" or "temporary" decree.

In any event, the statewide unified adjudication of water goes on.

DATED this 3rd day of August, 1984.


W. W. LESSLEY
Chief Water Judge
P.O. Box 879
Bozeman, MT 59715

BASIN 76K

NOTICE OF ENTRY OF
Temporary
PRELIMINARY DECREE AND
NOTICE OF AVAILABILITY

IN THE WATER COURTS OF THE STATE OF MONTANA
CLARK FORK DIVISION - SWAN RIVER BASIN (76K)

NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND
NOTICE OF AVAILABILITY

Since you have filed a claim for a water right existing before July 1, 1973, we are sending with this Notice your abstract of your claim entered on the Swan River Basin.

However, if you received a certificate or applied for a "water use permit to appropriate" or reserve water under the 1973 Water Use Act do not expect to receive an abstract of that document.

This Notice is being sent to others as required in 85-2-232 MCA.

WHAT IS A TEMPORARY PRELIMINARY DECREE

A Temporary Preliminary Decree decides the water rights in the Swan River Basin and lists those water rights.

If you don't agree with what it decides as to your right or any other water right which may affect your water right claims, you may file an objection, request a hearing and the Water Courts will hear it. See the general Findings of Fact and Conclusions of Law for further explanation of your right.

A water right in the Temporary Preliminary Decree remains unchanged and will be so entered in the Final Decree if it is not objected to during the objection period. However, if determinations of Indian and Federal reserved water rights present circumstances affecting that water right, additional objections may be filed.

IF A RIGHT IS NOT OBJECTED TO, IT SHALL REMAIN UNCHANGED AND BE ENTERED IN THE FINAL DECREE.

HOW YOU FILE AN OBJECTION AND REQUEST A HEARING

AN OBJECTION MUST BE FILED PURSUANT TO WATER COURTS RULE #6 AND ON THE FORMS PROVIDED BY THE WATER COURTS.

ALL OBJECTIONS MUST BE FILED AND RECEIVED BY THE 13th DAY OF November, 1984. Objections must be sent to the Montana Water Courts, P.O. Box 879, Bozeman, MT 59715.

CAN YOU GET AN EXTENSION?

Extension for filing objections may be granted by the Water Judge. Requests must be received by the Water Courts on or before the 13th day of November, 1984. USE THE FORM FURNISHED BY THE WATER COURTS AND FOLLOW WATER COURT RULE #7.

If an extension is granted, it applies to all within this Basin. A copy of the extension may be seen at the Clerk of Court offices in Flathead, Lake and Missoula counties.

WHERE YOU CAN SEE OR GET THE TEMPORARY PRELIMINARY DECREE (OR FINDINGS OF FACT AND CONCLUSIONS OF LAW) FOR THE SWAN RIVER BASIN

See it at:

(Over Please)

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources Field Office, 3220 Hiway 93 S., Kalispell, MT 59903
4. Clerk of the Court, Flathead County, Kalispell MT 59901
5. Clerk and Recorder, Flathead County, Kalispell, MT 59901
6. Clerk of the Court, Lake County, Polson, MT 59860
7. Clerk and Recorder, Lake County, Polson, MT 59860
8. Clerk of the Court, Missoula County, Missoula MT 59801
9. Clerk and Recorder, Missoula County, Missoula MT 59801

Microfilm of the existing water rights claimed and the abstract as reviewed by DNRC at:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources, Field Office, 3220 Hiway 93 S. Kalispell, MT 59903
4. Clerk of the Court, Flathead County, Kalispell MT 59901

You can buy a copy of the Temporary Preliminary Decree at the Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620.

Any questions? Call the Water Courts Office at (406) 586-4364.

AFTER OBJECTIONS ARE FILED

After the time for filing objections has passed, the Water Courts will notify each party named in the Decree that hearings have been requested and set a date for all interested parties to notify the Water Courts of their intent to participate in any of those hearings.

THE WATER COURT RULES AND FORMS CAN BE FOUND AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Clerk of the Court, Flathead County, Kalispell MT 59903
3. Clerk of the Court, Lake County, Polson, MT 59860
4. Clerk of the Court, Missoula County, Missoula MT 59801

DATED this 9th day of Aug., 1984.


ROBERT M. HOLTER
Water Judge
Clark Fork Division

BASIN 76K

**CERTIFICATE
OF MAILING**

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

(406) 444-6603 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 444-6668 WATER DEVELOPMENT BUREAU
(406) 444-6601 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

August 13, 1984

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Swan River Basin (Basin 76K). This mailing was completed August 9, 1984.

Sincerely,

JIM

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

SWAN RIVER BASIN (Basin 76K)

CERTIFICATE OF MAILING

The Notice of Entry of Temporary Preliminary Decree and Notice of Availability
for the Swan River Basin (Basin 76K)

State of Montana)
County of Lewis and Clark) ss:

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that:

A. The Notice of Entry of Temporary Preliminary Decree, Notice of
Availability, and abstracts showing dispositions of each person filing a claim
for the Swan River Basin (Basin 76K) has been placed in the United States Mail,
postage prepaid and addressed to each party as per the records of the Water
Rights Bureau, Department of Natural Resources and Conservation, August 9,
1984.

B. The Notice of Entry of Temporary Preliminary Decree and Notice of
Availability for the Swan River Basin (Basin 76K) has been placed in the United
States Mail, postage prepaid and addressed to each party as per the records of
the Water Rights Bureau, Department of Natural Resources and Conservation,
August 9, 1984 for (1) all parties in the Swan River issued permits for water
use in that basin pursuant to 85-2-301 MCA 1978 or their successor in interest,
if known; (2) all parties who have applied for permits for use of water in the
Swan River Basin pursuant to 85-2-301 MCA 1978; (3) all parties who have been
granted a reservation in the Swan River Basin pursuant to 85-2-316 MCA 1978;
(4) all parties in the Swan River Basin who have received certificates of water
rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute;

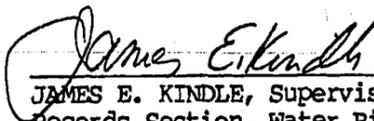
(5) all federal land management agencies in the Clark Fork Water Division; (6) all Indian Tribes in the Clark Fork Water Division; (7) all neighboring states of the Clark Fork Water Division; (8) the County Clerk of Court and Clerk and Recorder of Flathead, Lake and Missoula Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

C. The Department of Natural Resources and Conservation sent to the Clerk of Court and Clerk and Recorder of Flathead, Lake and Missoula Counties entire copies of the Temporary Preliminary Decree for the Swan River Basin and indexes thereto.

D. The Department of Natural Resources and Conservation sent to the Clerk of Court of Flathead County (Kalispell, MT) microfilm copies of prima facia claims and Department records for all claims submitted in the Swan River Basin.

This mailing and distribution was made under my direction and control on August 9, 1984.

Dated this 13th day of AUGUST, 1984.



JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

State of Montana)
: ss.
County of Lewis & Clark)

On this 13th day of August, 1984, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.



[Signature]
Notary Public for the State of Montana
Residing at Notary Public for the State of Montana
My commission expires October 30, 1988

A

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
3-LIN 762

**** OWNER LIST ****

ADAMS 2404 3RD AVE S GREAT FALLS	GAIL	J	MT	59405
ALEXANDER 654 S 6TH ST E MISSOULA	EDWARD		MT	59301
ANDERSON BOX 254 BIGFORK	CLYDE	R	MT	59911
ANDERSON BOX 254 BIGFORK	DOROTHY	M	MT	59911
ANDERSON 2142 S 5TH W MISSOULA	EUGENE	G	MT	59801
ANDERSON 2142 S 5TH W MISSOULA	GERTRUDE	M	MT	59801
ANDERSON BOX 177 BIGFORK	JUNE	M	MT	59911
ANDERSON BOX 1053 CONDON	LENNART	R	MT	59326
ANDERSON BOX 1053 CONDON	MARION	T	MT	59326
ANDERSON 905 PARK GARDEN RD GREAT FALLS	WALLY		MT	59401
ARMSTRONG SWAN VILLAGE MARKET SWAN LAKE	EVAN	W	MT	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

ARTESE CARMEN C
1355 LA PALMA ST
SAN DIEGO CA 92109

ARTESE DONNA L
1355 LA PALMA ST
SAN DIEGO CA 92109

ASKEVOLD GERALD
1290 SWAN HILL DR
BIGFORK MT 59911

ASKEVOLD GERALD L
790 SWAN RIVER RD
BIGFORK MT 59911

ASKEVOLD SALLY J
790 SWAN RIVER RD
BIGFORK MT 59911

HAILEY LILLIAN G
1252 MONTANA HWY 209
BIGFORK MT 59911

BAILLIE WANDA F
1 PROSPECT WAY
GREAT FALLS MT 59405

BAILLIE WILLIAM L
1 PROSPECT WAY
GREAT FALLS MT 59405

BAKER DOROTHY M
297 SWAN RETREAT
BIGFORK MT 59911

BAKER MARVIN A
297 SWAN RETREAT
BIGFORK MT 59911

BARBER DOROTHY V
11402 PAWNEE CIRCLE
PHOENIX AZ 85044

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

GARBER 11402 PANNEE CIRCLE PHOENIX	ROBERT AZ	G 85044
BARNHART 904 BARTH DR BALDWIN	MARY NY	E 11510
BAYLOR BOX 1047 CONDON	VIVIAN MT	R 59326
BECK BOX 129 CONDON	AGNES MT	H 59826
BECK BOX 129 CONDON	DARLENE MT	H 59826
BECK BOX 129 CONDON	EDWARD MT	H 59826
BECK BOX 129 CONDON	GEORGE MT	H 59326
BEESON BOX 564 BIG SANDY	MURTEN MT	H 59520
BEGG BOX 1098 KALISPELL	GEORGE MT	I 59901
BENNETT 112 RIPPLING WATERS BIGFORK	LEWIS MT	H 59911
BENNETT 112 RIPPLING WATERS BIGFORK	VELMA MT	L 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
 BASIN 76K

**** OWNER LIST ****

BENNINGTON 4840 FOOTHILL RD BIGFORK	CLAUDIA MT	59911
BENNINGTON 4840 FOOTHILL RD BIGFORK	WILLIAM MT	59911
BERLAND 512 S MARYLAND ST CONRAD	HERBERT MT	59425
BERNER GEN DEL CONDON	CAROLINE MT	59326
BERNER GEN DEL CONDON	DAVID MT	59326
BERNING 224 N RIDING RD 1 KALISPELL	NOBERT MT	59901
BERRY ALPINE MOTEL & CAFE SWAN LAKE	GERALD MT	59911
BEST BOX 9422 MISSOULA	CALVIN MT	59807
BEST BOX 9422 MISSOULA	HAZEL MT	59807
HELENBERG SWAN VIEW SWAN LAKE	DONALD MT	59911
BLANK BOX 680310 MIAMI	JEROME FL	33168

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

BLANK BOX 660310 MIAMI	JOAN FL	33155
BOAT 5820 W PURDUE CIRCLE GLENDALE	ARTHUR AZ	C 85302
BOESCH RT 2 BOX 160 TRUMAN	DURWOOD MN	L 56033
BOESCH RT 2 BOX 160 TRUMAN	PEGGY MN	J 56033
BOESE 1308 SWAN HWY BIGFORK	RITA MT	A 59911
BOESE 1303 SWAN HWY BIGFORK	ROBERT MT	G 59911
BOETCHER PO BOX 211 BIGFORK	CORNELIA MT	L 59911
BOETCHER PO BOX 211 BIGFORK	HARRY MT	F 59911
BOHR 255 SWAN RETREAT BIGFORK	BARBARA MT	A 59911
BOHR, JR 255 SWAN RETREAT BIGFORK	HARPER MT	L 59911
BOND 125 NORTH AVE E MISSOULA	FRANK MT	E 59801

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

BREWSTER 720 FERNDALE DR BIGFORK	ERNEST MT	J 59911
BREWSTER 720 FERNDALE DR BIGFORK	HELEN MT	M 59911
BRODIE 803 WHITAKER DR MISSOULA	MARILYN MT	G 59801
BRODIE 803 WHITAKER DR MISSOULA	STEPHEN MT	D 59801
BROSTEN 600 BROSTEN LN BIGFORK	ALICE MT	J 59911
BROSTEN 600 BROSTEN LN BIGFORK	ARNE MT	M 59911
BROWMAN 664 S 6TH ST E MISSOULA	LUDVIG MT	G 59801
BROWNE 148 RIPPLING WATERS BIGFORK	GENIE MT	
BROWNE 148 RIPPLING WATERS BIGFORK	WILLIAM MT	B 59911
BROWNING 2009 TAMMANY ANACONDA	GARY MT	B 59711
BROWNING SWAN LAKE	MARIBETH MT	

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 75K

**** OWNER LIST ****

BROWNING 2009 TAMMANY ANACONDA	PARLEY	H	
	MT		59711
BROWNING SWAN LAKE	ROBERT	B	
	MT		59327
BROWNING SWAN LAKE	ROBERT	B	
	MT		59911
BULLARD SWAN VILLAGE MKT SWAN LAKE	ARTHUR	F	
	MT		59911
BURGGRAF RAINBOW DR SWAN LAKE RT BIGFORK	RICHARD	J	
	MT		59911
BURLINGTON NORTHERN RAILROAD CO 1ST NW BANK BLDG 10TH FLOOR SUITE 1003 BILLINGS			
	MT		59101
BURLINGTON NORTHERN RAILROAD CO 27TH ST BILLINGS			
	MT		59101
BURLINGTON NORTHERN RAILROAD CO 650 CENTRAL BLDG SEATTLE			
	WA		981041656
BURNS 11716 OLD CHURCH RD RR 1 ROANOKE	ALASTAIR	H	
	IN		46745
BURNS 245 WOODLAND AVE KALISPELL	HELEN	L	
	MT		59901
BURNS 245 WOODLAND AVE KALISPELL	MALCOLM	O	
	MT		59901

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

CAMP CREEK WATER USERS ASSOC

SWAN LAKE	MT	59211
CAPPS 973 EASTMAN DR BIGFORK	CAGE MT	B 59911
CAPPS 973 EASTMAN DR BIGFORK	JEAN MT	F 59911
CARGILL 1856 BOON RD OAK HARBOR	HUGH WA	T 93277
CARLSON DIAMOND L BAR RANCH SEELEY LAKE	H MT	A 59268
CASTLEMAN 2404 3RD AVE S GREAT FALLS	JEANETTE MT	R 59405
CAUGHRON BOX 1548 GREAT FALLS	ANDREA MT	S 59403
CHAMBERS 3611 PADUA AVE CLAREMONT	LUTHER CA	W 91711
CHAMBERS 672 2 MILE DR KALISPELL	LUTHER MT	W 59901
CLARK MAYPORT HARBOR BIGFORK	BERNICE MT	A 59911
CLARK MAYPORT HARBOR BIGFORK	CHARLEY MT	A 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
 BASIN 76K

*** OWNER LIST ***

CLARK 906 CHARLO ST MISSOULA	CLARENCE MT	0 59801
CLARK 787 1ST AVE EN KALISPELL	JUDITH MT	A 59801
CLARK 906 CHARLO ST MISSOULA	RAMONA MT	S 59801
CLARK 787 1ST AVE EN KALISPELL	RICHARD MT	S 59801
COLWELL 130 WOODWORTH MISSOULA	BRYCE MT	D 59801
COLWELL 130 WOODWORTH MISSOULA	DOROTHY MT	S 59801
COOK 3172 SWAN HIGHWAY BIGFORK	ALLEN MT	J 59811
CORY 304 34TH ST S GREAT FALLS	CLIFFORD MT	D 59405
CORY 304 34TH ST S GREAT FALLS	HELEN MT	" 59405
CREPEAU 605 CYNTHIA DR KALISPELL	AMOS MT	L 59901
CROP HAIL MANAGEMENT BOX 1059 KALISPELL		
	MT	59901

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

DAHL BOX 229 CONDON	ANNE	MT	59826
DANFORD 2202 SWAN HIGHWAY BIGFORK	DORCAS	MT	59901
DANFORD 2202 SWAN HIGHWAY BIGFORK	DORCAS	MT	59911
DANFORD 2202 SWAN HWY BIGFORK	DORCAS	MT	59911
DANFORD 2202 SWAN HIGHWAY BIGFORK	THEODORE	MT	59911
DANIELS 200 SWAN HILL DR BIGFORK	ETHELYNNE	MT	59911
DANIELS 200 SWAN HILL DR BIGFORK	WILLIAM	MT	59911
DANZ 306 FERN LN BIGFORK	WILLARD	MT	59911
DAY 3804 6TH AVE S GREAT FALLS	HOWARD	MT	59405
DAY 3804 6TH AVE S GREAT FALLS	REGINA	MT	59405
DIGGS 407 W CRESTLINE DR MISSOULA	DAVID	MT	59803

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 705

**** OWNER LIST ****

DIGGS 607 W CRESTLINE DR MISSOULA	ROSAMOND MT	C 59803
DOWNEY 344 6TH AVE E KALISPELL	DAVID MT	W 59901
DOWNEY 344 6TH AVE E KALISPELL	JANET MT	H 59901
DROUILLARD 104 GREENWOOD LN MISSOULA	ELIZABETH MT	A 59803
DYER 125 SCHOOL ADD RD KALISPELL	JOHN MT	C 59901
DYER 125 SCHOOL ADD RD KALISPELL	PAULINE MT	C 59901
EASTMAN 592 EASTMAN DR BIGFORK	BERNICE MT	C 59911
EBAUGH 502 FERDALE DR BIGFORK	COURTNEY MT	B 59911
EBAUGH 502 FERDALE DR BIGFORK	HAROLD MT	C 59911
EDGE 35215 ASHTON PLACE FREMONT	DONALD CA	P 94536
EDGERTON 603 LOON LAKE RD BIGFORK	COBY MT	M 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 70K

**** OWNER LIST ****

EDGERTON JOHN M
603 LOON LAKE RD
BIGFORK MT 59911

ELKHORN RESORT HOME INC
319 10TH AVE S
GREAT FALLS MT 59405

ELMBLAD GERTRUDE L
3520 HAWESWOOD DR
CRETE IL 60417

ELMBLAD THOMAS R
3520 HAWESWOOD DR
CRETE IL 60417

ENVIRONMENTAL MANAGEMENT CONSULTANTS INC
1025 CONNECTICUT AVE NW
STE 905
WASHINGTON DC 20036

ERICKSON CAROLE V
7102 SIESTA DR
MISSOULA MT 59802

ERICKSON VERNON L
7102 SIESTA DR
MISSOULA MT 59802

ESLICK KENNETH O
2199 SWAN HWY
BIGFORK MT 59911

ESLICK LAVINA R
2199 SWAN HWY
BIGFORK MT 59911

FAST ERVIN
FRAZER MT 59225

FAST ERVIN
BOX 351
FRAZER MT 59225

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 75K

**** OWNER LIST ****

FAULEY PO BOX 156 WEST GLACIER	CLYDE	M	59935
FAULEY PO BOX 156 WEST GLACIER	RAE	M	59936
FIELD 1920 MONTANA 209 PO BOX 117 BIGFORK	GEORGE	D	59911
FIELD 1920 MONTANA 209 PO BOX 117 BIGFORK	MILDRED	A	59911
FIRPO 125 SWAN RETREAT BIGFORK	GEORGE	A	59911
FIRPO 125 SWAN RETREAT BIGFORK	WILMA	M	59911
FISHBAUGH 739 CASCADE AVE BIGFORK	DJROTHY	G	59911
FISHBAUGH 739 CASCADE AVE BIGFORK	LAWRENCE	J	59911
FISHER SWAN LAKE	ELLA MAE	M	59911
FISHER SWAN LAKE	JOHN	M	59911
FITZGERALD LINDBERGH LAKE RD SEELEY LAKE	JOSEPH	H	59863

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 70K

**** OWNER LIST ****

FITZGERALD LINDBERGH LAKE RD SEELEY LAKE	RUTH	MT	M	59868
FLATHEAD COUNTY SCHOOL DIST 4 1205 SWAN HWY BIGFORK		MT		59911
FORD 1800 11TH ST SW GREAT FALLS	BARBARA	MT	J	59404
FORD 664 S 6TH ST E MISSOULA	JAMES	MT	L	59801
FORD 1800 11TH ST SW GREAT FALLS	LELAND	MT	F	59404
FORDER HWY 83 N BOX 2748 CONDON	DWAYNE	MT	D	59826
FORDER HWY 83 N BOX 2748 CONDON	JANICE	MT	F	59826
FORDIK TREE & INC 3065 SWAN HWY BIGFORK		MT		59911
FYSTROM BOX 132 BIGFORK	ADELAIDE	MT	A	59911
GALLAGHER 811 7TH AVE N GLASGOW	BERNADINE	MT		59230
GALLAGHER 811 7TH AVE N GLASGOW	FRANCIS	MT		59230

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

GARNETT 4115 ELLA AVE GREAT FALLS	BERYL	L	MT	59405
GARNETT 4115 ELLA AVE GREAT FALLS	ROBERT	J	MT	59405
GERDES 600 THREE EAGLE LANE BIGFORK	JOHN	W	MT	59911
GERDES 600 THREE EAGLE LANE BIGFORK	MARJORIE	N	MT	59911
GERDSMEYER 745 SWAN RIVER RD BIG FORK	EUNICE	F	MT	59911
GERDSMEYER 745 SWAN RIVER RD BIGFORK	HARRY	H	MT	59911
GHAFOORI % KHYBER FOODS INC PO BOX 4324 FULLERTON	ABDUL	R	CA	92634
GILES 1487 HIKALA PL #41 HONOLULU	THOMAS	W	HI	96816
GLACIER PARK CO 650 CENTRAL BLDG SEATTLE			WA	981041656
GOFF RFD CONDON	CHARLES	E	MT	59826
GOOD 903 PARK GARDEN RD GREAT FALLS	KEITH	E	MT	59401

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 70K

**** OWNER LIST ****

GRANT BOX 683 BIGFORK	DOROTHY MT	C 59911
GRANT BOX 683 BIGFORK	LAWRENCE MT	B 59911
GRANT BOX 109 SWAN LAKE	LEONARD MT	J 59911
GRANT BOX 136 SWAN LAKE	LEONARD MT	W 59911
GRAY 17815 99TH DR SUN CITY	BEATRICE AZ	N 85373
GRAY 17815 99TH DR SUN CITY	GARY AZ	G 85373
GREGOIRE 3433 6TH AVE S GREAT FALLS	G KENNETH MT	59405
GROSS 895 MUD LAKE ROAD BIGFORK	ANNABEL MT	R 59911
GROSS 895 MUD LAKE ROAD BIGFORK	WILLIAM MT	D 59911
GULDEN RUMBLE CREEK RD SEELEY LAKE	GLENN MT	H 59858
GUY 2125 FAIRWAY DR BILLINGS	SALLIE MT	K 59101

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 7&K

**** OWNER LIST ****

HAAG 1120 MONTANA HWY BIGFORK	GLYNDON NO 209 MT	S	59911
HAAG 1120 MONTANA HWY BIGFORK	LOIS NO 209 MT	A	59911
HAASCH CONDON	HAROLD MT	W	59826
HAASCH CONDON	RUSSELL MT	R	59826
HACMOORE HOMEOWNERS ASSOC DIAMOND L BAR RANCH SEELEY LAKE	MT		59868
HALLEY SWAN LAKE	EDNA MT	F	59911
HALLEY BOX 102 FORT BENTON	EDNA MT	F	59442
HANLEY 405 PARK DR 2E GREAT FALLS	JOHN MT	C	59401
HANLEY 405 PARK DR 2E GREAT FALLS	RUTH MT	G	59401
HARRIS S 4108 HOGAN SPOKANE	DOUGLAS WA	D	99203
HARRIS S 4108 HOGAN SPOKANE	GAIL WA	M	99203

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 75K

**** OWNER LIST ****

HARRISON 2811 BEAU LN EAGAN	JOSEPH MN	L 55121
HARRISON 2811 BEAU LN EAGAN	MARY MN	E 55121
HARWOOD SWAN RT BIGFORK	FAY MT	K 59911
HARWOOD, JR SWAN RT BIGFORK	AUBREY MT	H 59911
HAUCK 1608 STUART HELENA	GLOPIA MT	D 59601
HAUCK 125 NORTH AVE E MISSOULA	JOSEPH MT	R 59801
HAUCK 1608 STUART HELENA	PHILIP MT	H 59601
HEEKIN 313 ALBION AVE GLENDALE	THOMAS OH	D 45246
HEENEY 3311 SWAN HWY MEADOW CREEK RANCH BIGFORK	MARY MT	C 59911
HEENEY, JR 3311 SWAN HWY MEADOW CREEK RANCH BIGFORK	THOMAS MT	J 59911
HEWITT, JR RT 38 BOX 2027 LIVINGSTON	WILLIAM MT	C 59047

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

HI LINE HAVEN ESTATE-PARTNERSHIP

90X 1716
HAVRE MT 59501

HILL FAY E
80X 325
BILLINGS MT 59103

HILL HAMILTON D
409 3RD ST NE
PUYALLUP WA 98371

HILL MILLIE K
409 3RD ST NE
PUYALLUP WA 98371

HILL OLIVER M
80X 325
BILLINGS MT 59103

HOCKERSON ALDINE C
SWAN RIVER RD 1081
BIGFORK MT 59911

HOGUE DWIGHT N
SWAN RT
BIGFORK MT 59911

HOLLOPETTER ROXY R
121 RIVER RETREAT
BIGFORK MT 59911

HOLTE GLENNA H
80X 255
193 BAY DR
BIGFORK MT 59911

HOLTE HILMER M
80X 255
193 BAY DR
BIGFORK MT 59911

HOLZBERGER CATHERINE S
LINDBERGH LAKE ROAD
SEELEY LAKE MT 59868

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

HOLZPERGER LINDBERGH LAKE ROAD SEELEY LAKE	ROBERT	J	MT	59808
HORN FALLS CREEK RANCH CONDON	ALEX		MT	59826
HORNER 760 33RD AVE NE GREAT FALLS	JOSEPH	E	MT	59404
HORNER 760 33RD AVE NE GREAT FALLS	VIRGINIA	M	MT	59404
HOUSE 1290 SWAN HILL DR BIGFORK	WESLEY	R	MT	59911
HUGHES 2745 HUCKLEBERRY GREAT FALLS	BARBARA	J	MT	59404
HUGHES 2745 HUCKLEBERRY GREAT FALLS	RICHARD	A	MT	59404
HUNT 260 SWAN RETREAT BIGFORK	EDYTHE	J	MT	59911
HUNTSMAN PO BOX 88 SWAN LAKE	DALE	D	MT	59911
HUNTSMAN PO BOX 88 SWAN LAKE	JOSEPH	W	MT	59911
ICENOGLE BOX 184 WAUCONDA	ELMER	E	IL	60084

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 70K

***** OWNER LIST *****

ICENOGLE BOX 184 WAUCONDA	RUTH	IL	E	60024
INGRAM BOX 564 BIG SANDY	DORIS	MT	L	59520
INGRAM BOX 564 BIG SANDY	RAYMOND	MT	L	59520
ISCH 857 N MAIN KALISPELL	FLORA	MT	M	59901
ISCH 857 N MAIN KALISPELL	HARRY	MT	M	59901
JARVIS 1401B BOX 70 CHARLOTTE	MELODIE	NC	J	28208
JARVIS 1401B BOX 70 CHARLOTTE	ROBERT	NC	W	28208
JENKINS 2142 S 5TH W MISSOULA	RUSSELL	MT	D	59801
JETTE SWAN VALLEY SEELEY LAKE	CAROLYN	MT	R	59868
JETTE SWAN VALLEY SEELEY LAKE	FRANCIS	MT	L	59868
JETTE SWAN VALLEY SEELEY LAKE	STEPHEN	MT	R	59868

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 70K

**** OWNER LIST ****

JOHNSON 11575 CHUMRAU LOOP MISSOULA	DAVID	P	59901
JOHNSON PO BOX 342 BIGFORK	ELEANOR	M	59911
JOHNSON PO BOX 342 BIGFORK	LELAND	S	59911
JOHNSON 11575 CHUMRAU LOOP MISSOULA	PENNY	M	59801
JOHNSON SWAN LAKE RT BIGFORK	ELINOR	S	59911
JONES, JR SWAN LAKE RT BIGFORK	JEFFERSON	MT	59911
JUHL 195 SHADY LANE RT 1 BIGFORK	CAROL	J	59911
JUNKERMIER 600 CENTRAL PLAZA 208 GREAT FALLS	MARY	M	59401
JUNKERMIER 600 CENTRAL PLAZA 208 GREAT FALLS	WARD	F	59401
KAPS 704 3RD AVE E KALISPELL	CHESTER	MT	59901
KAPS 704 3RD AVE E KALISPELL	EDITH	L	59901

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

KAUFFMAN PO BOX 49 CONDON	REUBEN	S	59826
KAUFFMAN PO BOX 49 CONDON	SADIE	MT	59826
KECK BOX 772581 STEAMBOAT SPRINGS	FREDERICK	CO	80477
KEILMAN 101 E 6TH ST PO BOX 657 NILAND	LESTER	CA	92257
KEITH 1431 FLOWERREE HELENA	CHARLES	MT	59601
KEITH 1431 FLOWERREE HELENA	MARILYN	MT	59601
KELLNER LINDBERGH LAKE RD SEELEY LAKE	MIKAL	MT	59868
KETCHER 765 SWAN RIVER RD BIGFORK	MICHAEL	MT	59911
KIRKPATRICK 3154 SWAN HIGHWAY BIGFORK	JOAN	MT	59911
KIRKPATRICK 3154 SWAN HIGHWAY BIGFORK	JOSEPHINE	MT	59911
KLEIN GEN DEL CONDON	DANA	MT	59826

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

KLEIN GEN DEL CONDON	PETER	D	MT	59826
KNIGHT 1141 VILLA VIEW DR PACIFIC PALISADES	GRETCHEN		CA	90272
KNIGHT 1141 VILLA VIEW DR PACIFIC PALISADES	RONALD	D	CA	90272
KNOOF 1533 PHILLIPS MISSOULA	MONA	A	MT	59802
KNUDSON 1115 HWY 209 BIGFORK	BETTY		MT	59911
KNUDSON 1115 HWY 209 BIGFORK	LAUREN		MT	59911
KOBYLENSKI PO BOX 299 CONDON	ANNE		MT	59826
KOBYLENSKI PO BOX 299 CONDON	LEONARD		MT	59826
KOEFOD PO BOX 952 HAVRE	DONALD	O	MT	59501
KOEFOD PO BOX 952 HAVRE	NORA	H	MT	59501
KOEFOD INSURANCE AGENCY INC BOX 952 HAVRE			MT	59501

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

KOESSLER PO BOX 1347 UPPER MILLER CREEK RD MISSOULA	HORACE	H	MT	59801
KOPP BOX 137 SWAN LAKE	ELAINE		MT	599112137
KOPP, JR BOX 137 SWAN LAKE	ADOLPH		MT	599112137
KOPPANG BOX 614 BIGFORK	MARY	A	MT	59911
KOPPANG BOX 614 BIGFORK	THOMAS	A	MT	59911
KOPKA SEELEY LAKE	MINNIE	C	MT	59668
KOTSCHVAR SEELEY LAKE	LENDAL	H	MT	59868
LAIRD 4661 ARROW HWY MONTCLAIR	SARAH	B	CA	91763
LAKE PO BOX 79 CONDON	JAMES	J	MT	59826
LAKE PO BOX 79 CONDON	ONA	E	MT	59826
LAKE COUNTY SCHOOL DISTRICT 73 SALMON PRAIRIE RD SWAN LAKE			MT	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

LAKE COUNTY SCHOOL DISTRICT 73 SWAN LAKE

SWAN LAKE MT 59911

LANDSBERGER ANN M
BOX 2804 HWY 209 N MT 59868
SEELEY LAKE

LANDSBERGER FLORIAN J
BOX 2804 HWY 209 N MT 59868
SEELEY LAKE

LAPE JOYCE L
HWY 83 MT 59911
SWAN LAKE

LAPE LAUREL L
HWY 83 MT 59911
SWAN LAKE

LASSILA MARGARET F
1119 W PARK ST MT 59701
GUTTE

LEISTIKO EUGENE F
PO BOX 39 MT 59826
CONDON

LEISTIKO MARGARET R
PO BOX 39 MT 59826
CONDON

LEONBERGER JAY J
BOX 99 MT 59911
SWAN LAKE

LEONBERGER TRISH A
BOX 99 MT 59911
SWAN LAKE

LIGON GROVER C
RIPPLE CREEK RANCH MT 59826
CONDON

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
 BASIN 75K

**** OWNER LIST ****

LINEBERGER 9 HODGMAN CANYON BOZEMAN	HELEN	MT	59715
LOCKWOOD 8301 86 MISSION GORGE RD SANTEE	NIVA	CA	92071
LODMELL BOX 1006 POLSON	ERNEST	MT	59860
LODMELL BOX 1006 POLSON	IRENE	MT	59860
LUCKOW SWAN ROUTE BIGFORK	MERLIN	MT	59911
LUCKOW SWAN ROUTE BIGFORK	PATRICIA	MT	59911
LUKE BOX 3035 POLSON	CLIFFORD	MT	59860
LUKE BOX 3035 POLSON	ROBERTA	MT	59860
LUNDBERG SEELEY LAKE	WARNER	MT	59863
MACDONALD 2508 SPRING TERRACE UPLAND	GINA	CA	91786
MACQUARRIE 1330 GERALD AVE MISSOULA	DANIEL	MT	59801

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

MACQUARRIE 1330 GERALD AVE MISSOULA	SHARON MT	A 59801
MAHAFFEY SWAN VALLEY CENTRE CONDON	WILLIAM MT	A 59826
MAMUZICH 224 N RIDING RD KALISPELL	KENNETH MT	G 59901
MARKEN 150 MARKEN LOOP RD BIGFORK	FLORENCE MT	Y 59911
MARKEN 150 MARKEN LOOP RD BIGFORK	HENRY MT	G 59911
MARTIN SWAN LAKE	MARTHA MT	I 59911
MARTIN BOX 87 SWAN LAKE	NORMA MT	M 59911
MARTIN BOX 87 SWAN LAKE	ROBERT MT	L 59911
MARTIN SWAN LAKE	RONALD MT	I 59911
MCCAULEY SWAN LAKE	JIM MT	F 59911
MCCAULEY SWAN LAKE	JOHN MT	A 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

MCCAULEY	MARGARET	K	
SWAN LAKE		MT	59911
MCCUE	DIANE	R	
2324 CLOVERDALE DR MISSOULA		MT	59803
MCCUE	ROBERT	H	
2324 CLOVERDALE DR MISSOULA		MT	59803
MCGLENN	DOROTHY	S	
212 THREE MILE DR KALISPELL		MT	59901
MCINTIRE	JOHN	M	
PO BOX 157 BIGFORK		MT	59911
MCINTIRE	RUTH	M	
PO BOX 157 BIGFORK		MT	59911
MELVIN	GEORGE	T	
STAR RT BOX 21.2 LINDBERGH LAKE SEELEY LAKE		MT	59868
MELVIN	JACKIE	A	
STAR RT BOX 21.2 LINDBERGH LAKE SEELEY LAKE		MT	59368
MESKE	LLOYD	F	
935 3RD ST MISSOULA		MT	59801
MEYER	JOAN	A	
SWAN LAKE		MT	59911
MEYER JR	HENRY	J	
SWAN LAKE		MT	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 75K

**** OWNER LIST ****

MILLER HAROLD K
SWAN LAKE
SWAN LAKE MT 59911

MILLER LETITIA J
SWAN LAKE
SWAN LAKE MT 59911

MONTANA, STATE OF BOARD OF LAND COMMISSIONER
FORESTRY DIVISION
2705 SPURGIN ROAD
MISSOULA MT 59801

MONTANA, STATE OF DEPT OF HIGHWAYS
2701 PROSPECT
HELENA MT 59620

MORGAN ROBERT M
LINDBERGH LAKE RD
SEELEY LAKE MT 59368

MORLEY ANNE T
PO BOX 147
SWAN LAKE MT 59911

MORLEY GREGORY H
PO BOX 147
SWAN LAKE MT 59911

MORTON LAVERA C
955 SOMERS STAGE
KALISPELL MT 59901

MORTON MELVIN D
955 SOMERS STAGE
KALISPELL MT 59901

MULRONEY NANCY E
PO BOX 1047
KETCHUM ID 83340

MUSKETT ALBERT J
3216 HOLLIS
MISSOULA MT 59801

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 70K

**** OWNER LIST ****

MUSKETT 3216 HOLLIS MISSOULA	BESS MT	M 59801
NEILSON BOX 485 BIGFORK	ASALE MT	L 59911
NEILSON BOX 485 BIGFORK	CARRIE MT	L 59911
NEWMAN BOX 3061 MISSOULA	IRENE MT	M 59807
NEWMAN BOX 8661 MISSOULA	LAWRENCE MT	H 59807
NEWTON BOX 61 WEOTT	ALFRED CA	95571
NEWTON BOX 61 WEOTT	JOHN CA	95571
OBER SWAN LAKE	MAYME MT	D 59911
ODEGARD PO BOX 412 BIGFORK	EVA MT	M 59911
ODEGARD PO BOX 412 BIGFORK	THOMAS MT	59911
OJALA 300 ALPINE DR BIGFORK	ROBERT MT	N 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 7&K

**** OWNER LIST ****

OLIVER BOX 12 100 OLIVER LANE BIGFORK	MARTHA LANE MT	H	59911
OLIVER BOX 12 100 OLIVER LN BIGFORK	MELVILLE LN MT	L	59911
OLSON PO BOX 1548 GREAT FALLS	FERN MT	L	59403
OLSON PO BOX 1548 GREAT FALLS	LESTER MT	A	59403
OLSON PO BOX 1548 GREAT FALLS	RICHARD MT	K	59403
OTTMAN 109 HILLCREST DR MISSOULA	JOHN MT	J	59801
OTTMAN 109 HILLCREST DR MISSOULA	MARGARET MT	C	59801
OTTO 2115 ELM ST BUTTE	BERNICE MT	M	59701
OTTO SWAN STAR RT BIGFORK	GLENN MT	C	59911
OWEN 1 BIG SKY BLVD KALISPELL	DAVID MT	L	59901
OWEN 1 BIG SKY BLVD KALISPELL	KATHRYN MT	J	59901

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 75K

**** OWNER LIST ****

OWENS 9913 LAKE WASHINGTON BLVD BELLEVUE	JAMES WA	D	98004
PACIFIC POWER & LIGHT CO 920 SW 6TH AVE PORTLAND	CR		97204
PAGE 349 FOX DR #2 GREAT FALLS	DONNA MT	M	59404
PAGE 349 FOX DR #2 GREAT FALLS	JAMES MT	R	59404
PAGLIUSO 2755 ARROW HWY LAVERNE	LORRAINE CA	S	91750
PARKS 1345 S 4TH W MISSOULA	ALBERT MT	A	59801
PARKS 1345 S 4TH W MISSOULA	MARY MT	R	59801
PATRICK SWAN LAKE	CLARENCE MT	J	59911
PATRICK SWAN LAKE	RUTH MT	E	59911
PATTERSON, JR 103 S 5TH E MISSOULA	JOHN MT	F	59801
PEACE 310 S 14TH ST BOZEMAN	EARL MT	J	59715

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

PEACE 310 S 14TH ST BOZEMAN	JANICE	MT	N	59715
PERETTI 1221 10TH AVE SW GREAT FALLS	CAROL	MT	L	59404
PHILLIPS 672 2 MILE DR KALISPELL	CAROL	MT	E	59901
PHILLIPS 672 2 MILE DR KALISPELL	JANET	MT		59901
PHILLIPS 672 2 MILE DR KALISPELL	LOUIS	MT	T	59901
PIERCE 1184 SWAN HWY BIGFORK	ALICE	MT	M	59911
PIERCE 1184 SWAN HWY BIGFORK	ROGER	MT	S	59911
PITCH 700 GRANT AVE HELENA	MARY	MT		59601
PLATTS 4507 PARK CORDERO CALABASAS PARK	GORDON	CA	H	91302
PLATTS 4507 PARK CORDERO CALABASAS PARK	MARY	CA	E	91302
PLUMMER 3188 SWAN HWY BIGFORK	RAMONA	MT	K	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

POPPA 1533 VIALEON PALOS VERDES ESTATES	RYAL CA	R 90274
PORTE 1401 SIBELIUS HELENA	NEVA MT	J 59601
PORTE 1401 SIBELIUS HELENA	RICHARD MT	A 59601
POTTS BOX 299 VILMA ALBERTA CANADA TOASLO	DJROTHY	F
POTTS BOX 299 VILMA ALBERTA CANADA TOASLO	DOUGLAS	E
POTTS BOX 299 VILMA ALBERTA CANADA TOASLO	DOUGLAS	E
POTTS 2239 SWAN HWY BIGFORK	STANLEY MT	59911
QUESNEL 1001 TOKAY MODESTO	VERNA CA	M 95350
RADICE 600 WOLF CREEK DR BIGFORK	CAROL MT	J 59911
RADICE 600 WOLF CREEK DR BOX 216 BIGFORK	CAROL MT	J 59911
RADICE 600 WOLF CREEK DR BIGFORK	FRANK MT	C 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

RADICE 600 WOLF CREEK DR BOX 216 BIGFORK	FRANK	C	MT	59911
RAWLINGS PO BOX 96 BIGFORK	CARL	D	MT	59911
RAWLINGS PO BOX 96 BIGFORK	MARGARET	H	MT	59911
REDD BOX 85 SWAN LAKE	GARRISON	D	MT	59911
REDD BOX 85 SWAN LAKE	LETA		MT	59911
REDEKOP 260 SWAN RETREAT BIGFORK	JOHN		MT	59911
REED 1230 MONTANA 209 BIGFORK	MARIANNA	E	MT	59911
REED 1230 MONTANA 209 BIGFORK	NEWTON	V	MT	59911
REED PO BOX 849 POLSON	ROBERT	E	MT	59860
REINHARD SWAN VALLEY RT SEELEY LAKE	ANNE	M	MT	59868
REINHARD SWAN VALLEY RT SEELEY LAKE	KENNETH	M	MT	59868

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

REMBE 905 PARK GARDEN RD GREAT FALLS	KARL MT	R 59401
REMICK 385 3 AVE EN KALISPELL	BEVERLEE MT	J 59901
REMICK 385 3 AVE EN KALISPELL	CHARLES MT	E 59901
REYNOLDS PO BOX 849 POLSON	CHARLES MT	W 59860
REYNOLDS 330 UNIVERSITY AVE MISSOULA	FRANCIS MT	G 59801
REYNOLDS 518 E CENTRAL MISSOULA	JUNE MT	E 59801
REYNOLDS 513 DIXON MISSOULA	MARVIN MT	P 59801
REYNOLDS 330 UNIVERSITY AVE MISSOULA	NETTIE MT	E 59801
REYNOLDS 518 E CENTRAL MISSOULA	VERN MT	F 59801
ROBERTS 2112 HOOVER AVE BILLINGS	JOHN MT	S 59102
ROBERTS PO BOX 158 SWAN LAKE	MARILYN MT	C 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

ROBERTS 2112 HOOVER AVE BILLINGS	MERRILYN MT	C 59102
ROBERTS PO BOX 158 SWAN LAKE	NORMAN MT	O 59911
ROGERS GEN DEL SWAN LAKE	KENNETH MT	J 59911
ROGERS 240 RIVER RD BIGFORK	LUCILLE MT	A 59911
ROGERS 310 ORCHARD RIDGE RD KALISPELL	ORVILLE MT	E 59901
ROGERS GEN DEL SWAN LAKE	ROBERT MT	E 59911
ROGERS GEN DEL SWAN LAKE	THOMAS MT	E 59911
ROGERS 240 RIVER RD BIGFORK	WESLEY MT	D 59911
ROLEY 8800 KESTER AVE #136 PANORAMA CITY	LYDA CA	J 91402
ROLFSON SOUTH SHORE POLSON	MARKS MT	59860
ROLFSON SOUTH SHORE POLSON	VERNA MT	59360

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

RONHOVDE 600 BEVERLY AVE MISSOULA	ANDREAS MT	G 59801
RONHOVDE 600 BEVERLY AVE MISSOULA	VIRGINIA MT	S 59801
ROSE CRANE MOUNTAIN RD BIGFORK	MARION MT	59911
ROST 3246 FOREST GALE DR FOREST GROVE	GLADYS OR	M 97116
ROST 3246 FOREST GALE DR FOREST GROVE	MAYNARD OR	T 97116
ROTHWEILER 9233 W VIRGINIA DR LAKEWOOD	MARY CO	A 80226
ROULLIER 7104 RATTLESNAKE DR MISSOULA	ERICA MT	L 59802
ROULLIER 7104 RATTLESNAKE DR MISSOULA	ROBERT MT	H 59802
RUHNKE 221 SPRINGCREEK DR KALISPELL	PATRICIA MT	C 59901
RUNDLE PO BOX 93 SWAN LAKE	BETTY MT	J 59911
RUNDLE PO BOX 93 SWAN LAKE	JOHN MT	D 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 75K

**** OWNER LIST ****

RUNDLE 750 7TH AVE N GLASGOW	MARGERY	A	MT	59230
RUSSELL 289 SWAN RETREAT BIGFORK	AL	K	MT	59911
RUSSELL 289 SWAN RETREAT BIGFORK	KAY	D	MT	59911
RYFFEL BOX 141 BELT	ERMA	A	MT	59412
SAYLES 7300 CONDALIA #4 YUCCA VALLEY	MARY	K	CA	92284
SCHMEIDEKE BOX 442 BIGFORK	SHERYL	K	MT	59911
SCHROCK BOX 109 SWAN LAKE	LAWRENCE	A	MT	59911
SCHROCK BOX 136 SWAN LAKE	LAWRENCE	A	MT	59911
SEAM N CONDON	MARIAN	W	MT	59826
SEAMAN CONDON	ROBERT	E	MT	59826
SEEL 4315 RAINBOW DR MISSOULA	DORIS	N	MT	59803

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

SEEL 4315 RAINBOW DR MISSOULA	WILLIAM	F	MT	59803
SEPT PO BOX 676 HILLCREST DR POLSON	ALTON	E	MT	59860
SEPT PO BOX 676 HILLCREST DR POLSON	BEULAH	O	MT	59860
SHARPE 300 SWAN RETREAT BIGFORK	SHIRLEY	A	MT	59911
SHARPE 300 SWAN RETREAT BIGFORK	WILLIAM	W	MT	59911
SHEFFELS 2725 CLOVER DR GREAT FALLS	JAMES	R	MT	59404
SIBLE 195 SWAN RETREAT BIGFORK	SARA		MT	59901
SIBLE 195 SWAN RETREAT BIGFORK	SARA		MT	59911
SIBLE 195 SWAN RETREAT BIGFORK	WARREN	E	MT	59901
SIBLE 195 SWAN RETREAT BIGFORK	WARREN	E	MT	59911
SINGER 3265 SWAN HWY BIGFORK	BARBARA	J	MT	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
 BASIN 75K

**** OWNER LIST ****

SINGER 3265 SWAN HWY BIGFORK	DALE	J	MT	59911
SKAGGS BOX 73431 FAIRBANKS	SAMUEL	D	AK	99707
SKEETERS 280 SWAN RETREAT BIGFORK	WESLEY	G	MT	59911
SKEETERS 280 SWAN RETREAT BIGFORK	WILHELMINA	M	MT	59911
SLETHAUG 275 ECHO LAKE RD BIGFORK	FLORENCE	E	MT	59911
SLETHAUG 275 ECHO LAKE RD BIGFORK	OLANDER	G	MT	59911
SLETTEN 3120 LESTER MISSOULA	BEATRICE	I	MT	59801
SLETTEN 3120 LESTER MISSOULA	VERNON	O	MT	59801
SMITH 400 N AVE W MISSOULA	KATHRYN	V	MT	59801
SMITH 601 LOLO ST MISSOULA	LYLE	H	MT	59802
SMITH 3610 7 STREET SW CALGARY, ALBERTA CANADA T2T2Y1	PATRICIA	A		

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

SMITH 601 LOLO ST MISSOULA	RUTH MT	H 59802
SMITH 335 MOUNT AVE MISSOULA	ZELLA MT	M 59801
SNYDER 1410 STANLEY MISSOULA	ALICE MT	59801
SNYDER 1410 STANLEY MISSOULA	NATHAN MT	59801
SOHRAGE 3164 SWAN RIVER HWY BIG FORK	CHARLES MT	A 59911
SOLOMON 4297 GREENSBURG PIKE PITTSBURG	HARRY PA	3403 15221
STADLER 2530 E LAKESHORE DR WHITEFISH	ELIZABETH MT	E 59937
STAHL 334 POMELLO DR CLAREMONT	BOBBIE CA	C 21711
STANLEY 1221 10TH AVE SW GREAT FALLS	E SCOTT MT	59404
STARKS BOX 1004 CONDON	VIRGINIA MT	M 59826
STEVENS 3156 SWAN HWY BIGFORK	DONALD VT	H 59911

TEMPORARY PRELIMINARY DECREE OF SWAN RIVER BASIN
BASIN 70X

**** OWNER LIST ****

STEVENS 3156 SWAN HWY BIGFORK	ELVIRA	M	MT	59911
STEWART PO BOX 277 SEELEY LAKE	DAVID	M	MT	59868
STEWART PO BOX 277 SEELEY LAKE	JAN	N	MT	59868
STOMPRO 224 N RIDING RD 1 KALISPELL	ELDON	J	MT	59901
STRIFE 176 TALL PINES LN PO BOX 111 BIGFORK	PATRICIA	J	MT	599110111
STRIFE 176 TALL PINES LN PO BOX 111 BIGFORK	SHERMAN	S	MT	599110111
STUMP LINDBERGH LAKE RD SEELEY LAKE	CATHERINE	M	MT	59868
STUMP LINDBERGH LAKE RD SEELEY LAKE	JOHN	J	MT	59868
SUDAN 295 RIVER BEND BIGFORK	JOHN	E	MT	59911
SUDAN 295 RIVER BEND BIGFORK	L MAE		MT	59911
SWAN LAKE COMMUNITY CLUB SWAN RT SWAN LAKE			MT	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
 BASIN 76K

**** OWNER LIST ****

SWARD PO BOX 18 CANYON GALLATIN GATEWAY	ANN RT	MT	M	59730
SWARD PO BOX 18 CANYON GALLATIN GATEWAY	DAVID RT	MT	C	59730
TANGHE BOX 207 BIGFORK	REVA	MT	B	59911
TAYLOR BOX 1235 FORT BENTON	KAREN	MT	R	59442
TAYLOR BOX 1235 FORT BENTON	RALPH	MT	D	59442
THOM 712 N HELENA ST ANAHEIM	ALOYSIUS CA		C	92805
THOMPSON 789 SWAN RIVER RD BIGFORK	FORREST	MT	S	59911
THOMPSON 739 SWAN RIVER RD BIGFORK	NEVA	MT	F	59911
THORNBY 2013 MOUNTAIN VIEW DR GREAT FALLS	DOROTHY MT		W	59405
THORNBY 2013 MOUNTAIN VIEW DR GREAT FALLS	WILLIAM MT		D	59405
TOOLE IV END A CARE LN BIGFORK	BRUCE	MT	P	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

TORGERSON BOX 186 BIGFORK	MIKE	A	MT	59911
TORGERSON BOX 186 BIGFORK	SUE	L	MT	59911
TOWE NW 5710 KLEMENT LN FLORENCE	MEDORA		MT	59833
TREGARTHEN 30X 437 BIGFORK	ALLEN	L	MT	59911
TROELLER PO BOX 191 SEELEY LAKE	BETTY	L	MT	59868
TROELLER PO BOX 191 SEELEY LAKE	LEONARD	G	MT	59868
TURNER 224 N RIDING RD KALISPELL	FRED	A	MT	59901
TWOMEY 11716 OLD CHURCH RD RR 1 ROANOKE	HELEN	C	IN	46763
TYE 121 RIVER RETREAT BIGFORK	PATRICK		MT	59911
TYE 121 SWAN RIVER RETREAT RD BIGFORK	PATRICK		MT	59911
UDALL 835 SWAN RIVER RD BIGFORK	LEONA	J	MT	59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

UDALL LOUIS J
835 SWAN RIVER RD
BIGFORK MT 59911

UNDERWOOD JUNE F
BOX 2186 HWY 83 N
SEELEY LAKE MT 59868

UNDERWOOD ROBERT E
BOX 2186 HWY 83 N
SEELEY LAKE MT 59868

US DEPT OF AGRICULTURE FOREST SERVICE
PO BOX 7669
MISSOULA MT 59807

US DEPT OF INTERIOR FISH & WILDLIFE SERVICE
BOX 25486
DENVER FEDERAL CENTER
DENVER CO 80225

VEITENHEIMER CASPER
1138 MONTANA ST
MISSOULA MT 59801

VELDE ROBERT L
664 S SIXTH ST EAST
MISSOULA MT 59801

VEYNA PENELOPE L
RT 1 BOX 289
BIGFORK MT 59911

VEYNA PETER P
RT 1 BOX 289
BIGFORK MT 59911

VOUTIS CONNIE
4830 FOOTHILL RD
BIGFORK MT 59911

VOUTIS PETER
4830 FOOTHILL RD
BIGFORK MT 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
 BASIN 76K

**** OWNER LIST ****

WADE SWAN LAKE	CARRIE MT	E 59911
WADE SWAN LAKE	ERLING MT	A 59911
WALKER RT 4 BOX 256A GREAT FALLS	GEORGE MT	L 59405
WALKER RT 4 BOX 256A GREAT FALLS	IRIS MT	J 59405
WALKER RT 4 BOX 256A GREAT FALLS	MARGARET MT	K 59405
WALTER BOX 156 POPLAR	JAMES MT	G 59255
WALTER BOX 156 POPLAR	RENELL MT	H 59255
WALTH PO BOX 1086 CONRAD	GENEVIEVE MT	B 59425
WALTH PO BOX 1086 CONRAD	JEROME MT	M 59425
WEBB 224 N RIDING RD KALISPELL	MARGARET MT	R 59901
WEBER 2337 CLOVERDALE DR MISSOULA	LUCILLE MT	A 59803

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 70K

**** OWNER LIST ****

WEHER 2337 CLOVERDALE DR MISSOULA	RICHARD MT	D 59803
WEED 412 BOSTON COURT DAVENPORT	ALVERN IA	C 52806
WEED 2319 43RD ST MISSOULA	KAREN MT	G 59801
WELCH 9913 LAKE WASHINGTON BLVD BELLEVUE	RALPH WA	98004
WESTPAAL 1856 BOON RD OAK HARBOR	FRANK WA	98277
WHITE BOX 1106 POLSON	JOSEPHINE MT	R 59860
WHITNEY BOX 17 BIGFORK	ARTHUR MT	B 59911
WHITNEY PO BOX 236 95 GRAND DR BIGFORK	JACK MT	J 59911
WHITNEY BOX 17 BIGFORK	MAUDE MT	B 59911
WHITNEY PO BOX 236 95 GRAND DR BIGFORK	URSULA MT	M 59911
WHITSELL 3317 HOLLIS MISSOULA	FREDERICK MT	L 59801

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
JULIN 76K

**** OWNER LIST ****

WHITSELL 3317 HOLLIS MISSOULA	PHYLLIS MT	H 59801
WILHELM PO BOX 145 SWAN LAKE	E MT	N 59911
WILLIAMS BOX 442 BIGFORK	HELEN MT	M 59911
WILLIAMSON 1001 TOKAY MODESTO	LEONARD CA	R 95350
WIRTH PARK PLAZA 6D 405 PARK DR GREAT FALLS	DELAINE MT	T 59401
WIRTH PARK PLAZA 6D 405 PARK DR GREAT FALLS	RAYMOND MT	L 59401
WISE SWAN LAKE	ALFRED MT	C 59911
WISE 2202 SWAN HWY BIGFORK	JULIA MT	M 59911
WISE SWAN LAKE	REVA MT	M 59911
WOLF 3093 SWAN HWY BIGFORK	MILTON MT	D 59911
WOLF 3093 SWAN HWY BIGFORK	OMAE MT	D 59911

TEMPORARY PRELIMINARY DECREE ON SWAN RIVER BASIN
BASIN 76K

**** OWNER LIST ****

WOLGAMOT 3220 5TH AVE S GREAT FALLS	ALICE	MT	59405
WOLGAMOT 3220 5TH AVE S GREAT FALLS	JOHN	MT	59405
WORKMAN RURAL DELIVERY SWAN LAKE	KENDALL	MT	59911
WORKMAN RURAL DELIVERY SWAN LAKE	MARY	MT	59911
YELLOWSTONE BOYS & GIRLS RANCH			
BOX 2549 BILLINGS		MT	59103
YODER 201 E MAIN SIDNEY	CORA	MT	59270
YODER 201 E MAIN SIDNEY	G	MT	59270

07/31/54 18/18

WOODRIDGE
WYAMIT
WYACKEL
WYACKER
WYACKER
WYACKER
WYACKER
WYACKER
WYACKER

MICHAEL
DORRIS
DORRIS
DORRIS
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DORRIS

J F F

PRELIMINARY DECREE - NEW APP. OWNERS TO BE NOTICED - BASIN 76K

329 AERO LANE
1511 VAN BUREN ST
1040 VAN BUREN ST
5227 LINDEN ST
4275 WINDYBROOK ST
5130 WINDYBROOK ST
1000 WINDYBROOK ST
1000 WINDYBROOK ST
ROUTE 1

MISSOURI
MISSOURI
MISSOURI
MISSOURI
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MISSOURI
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MISSOURI

B

SWAN RIVER BASIN (76K)

Notice to Interested Parties

(5)
All Federal Land Management Agencies in the Clark Fork Division

Area Director
U.S.D.A. - Forest Service
Federal Building
Missoula, MT 59807

Director
Bureau of Land Management
P.O. Box 38600
Billings, MT 59107

Division Engineer
U.S. Army Corps of Engineers
P.O. Box 103
Downtown Station
Omaha, NE 68101

Regional Director
Bureau of Reclamation
316 N. 26th Street
Room 3035
Billings, MT 59101

Soil Conservation Service
10 West Babcock
Room 443, Federal Building
Bozeman, MT 59715

(6)
All Neighboring States of the Clark Fork Division

Director
Department of Water Resources
State Office, 450 West State Street
Boise, ID 83720

(7)
All Indian Tribes in the Clark Fork Water Division

Mr. Tom Pablo
Tribal Chairman
Salish-Kootenai Tribes
Pablo, MT 59855

Dr. Alonzo Spang
Superintendent
P.O. Box A
Ronan, MT 59864

(8)
County Officials

John Van
Clerk of the Court
P.O. Box 897
Kalispell, MT 59901

Iris Hindman
Clerk and Recorder
Flathead County Courthouse
Kalispell, MT 59901

Bonnie Henri
Clerk of the Court
Missoula County Courthouse
Missoula, MT 59801

Fern Hart
Clerk and Recorder
Missoula County Courthouse
Missoula, MT 59801

Katherine Pedersen
Clerk of the Court
Lake County Courthouse
Polson, MT 59860

Ethel Harding
Clerk and Recorder
Lake County Courthouse
Polson, MT 59860

(9)
Other Interested Parties

Department of Natural Resources
Field Office
P.O. Box 860
Kalispell, MT 59903

John C. Chaffin
Dept. of Interior
SOL/DER/6045
18th and C Streets NW
Washington, D.C. 20240

Pat Barry
Indian Resource Section
U.S. Dept. of Justice
10th and Pennsylvania Ave. NW
Washington, D.C. 20530

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 25486
Denver Federal Center
Denver, CO 80294

U.S. Attorney General
Dept. of Justice Building
Washington, D.C. 20530

U.S. Attorney
Federal Building
Missoula, MT 59801

Field Solicitor
Room 5931
Federal Building
Billings, MT 59103

Aaron Hostyk
U.S. Army Engineer District Omaha
Corps of Engineers
6014 U.S. Post Office & Courthouse
Omaha, NE 68102

G. Steven Brown
Attorney for Mt. Dept.
of Fish, Wildlife & Parks
1313 11th Avenue
Helena, MT 59601

Tom Luebben
Attorney at Law
P.O. Box 25868
Albuquerque, NM 87125

Ted Doney
Attorney at Law
314 N. Last Chance Gulch
Helena, MT 59601

HKM Associates
Ralph Saunders
P.O. Box 31318
Billings, MT 59107

Sherry Matteucci
Crowley Law Firm
P.O. Box 2529
Billings, MT 59103

Michael Zimmerman
Montana Power Company
40 East Broadway
Butte, MT 59701

Kyle Ann McGuire
Box 9
Bigfork, MT 59911

Swanberg, Coby, Swanbery and
Matteucci
P.O. Box 2567
Great Falls, MT 59403

PRGAN
LINDNER
WISE
WOLF
WOLF

07/31/84 18/37

DUDLEY
REINHOLD
MYRTLE
WILTON
OMAE

RECORDED

PRELIMINARY DECREE - TRANSFERRED OWNERS TO BE NOTICED - BASIN 75K

611 W 5TH ST
280 BROSTEN LANE
1945 S 5TH W
3093 SWAN HWY
3093 SWAN HWY

GRANDVIEW
BIGFORK
MISSOULA
MISSOULA
BIGFORK

LINDNER
280 BROSTEN LANE
BIGFORK

REINHOLD
G
MI 59911

WOLF
3093 SWAN HWY
BIGFORK

MILTON
D
MI 59911

WOLF
3093 SWAN HWY
BIGFORK

OMAE
D
MI 59911

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BASIN 76K

**MISCELLANEOUS
CORRESPONDENCE,
WATER COURT**

June 21, 1984

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTHWING

STATE OF MONTANA

HELENA, MONTANA 59620

(406) 449-2872 ADMINISTRATOR
(406) 449-2864 ENGINEERING BUREAU
(406) 449-3760 WATER DEVELOPMENT BUREAU
(406) 449-2872 WATER MANAGEMENT BUREAU
(406) 449-3962 WATER RIGHTS BUREAU

June 21, 1984

Chris Jensen
Water Courts
PO Box 879
Bozeman, MT 59715

Dear Chris,

Enclosed are the review copies of the
Temporary Preliminary Decrees on Basins 76I,
76J and 76K. Please have the Water Master let
me know of any needed changes.

Sincerely,


Jim Kindle
Records Supervisor
Water Rights Bureau

JK:jg
Enclosure



MONTANA WATER COURTS

STATE OF MONTANA
RECEIVED

JUL 16 1984

MONT. DEPT. of NATURAL
RESOURCES & CONSERVATION

July 13, 1984

WATER JUDGES:

Upper Missouri River Basin
Chief Judge W. W. Leslie,
PO Box 879
Bozeman, MT 59715

Lower Missouri River Basin
Judge Bernard W. Thomas
PO Box 838
Chinook, MT 59523

Clark Fork River Basin
Judge Robert M. Holler
Lincoln County Courthouse
Libby, MT 59923

Yellowstone River Basin
Judge Roy C. Rodeghiero
PO Box 448
Ft. Belknap, MT 59072

Jim Kindle
Records Section
Department of Natural Resources
32 South Ewing
Helena, MT. 59620

Dear Jim:

Enclosed please find Orders designating the Department of Natural Resources to mail the Notices of Availability for Swan River Basin, South Fork Flathead River Basin, and Middle Fork Flathead River Basin.

If you have any questions, please call.

Sincerely,

Chris Jensen
Clerk

CJ/jl
ENC.

IN THE WATER COURTS OF THE STATE OF MONTANA

CLARK FORK DIVISION
SWAN RIVER BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWAN)
RIVER DRAINAGE AREA INCLUDING ALL)
TRIBUTARIES OF THE SWAN RIVER IN)
FLATHEAD, LAKE AND MISSOULA)
COUNTIES, MONTANA.)

O R D E R

DESIGNATING THE DNRC TO MAIL NOTICE OF
AVAILABILITY OF THE TEMPORARY PRELIMINARY DECREE

This Order complies with the requirements of 85-2-232 MCA
1978.

ORDERED that the Department of Natural Resources and
Conservation send by mail to each person and their successor in
interest, if known, who has filed a claim of existing right in
the Swan River Basin (76K), a copy of the Notice of Availability
of the Temporary Preliminary Decree on that Basin and an
abstract of the disposition of such person's claim of existing
right.

ORDERED specifically that the Notice of Availability be
mailed to: (1) all parties in the Swan River Basin issued
permits for water use in that Basin pursuant to 85-2-301 MCA
1978 or their successor in interest, if known; (2) all parties
who have applied for permits for use of water in the Swan River
Basin pursuant to 85-2-301 MCA 1978; (3) all parties who have
been granted a reservation in the Swan River Basin pursuant to
85-2-316 MCA 1978; (4) all parties in the Swan River Basin who

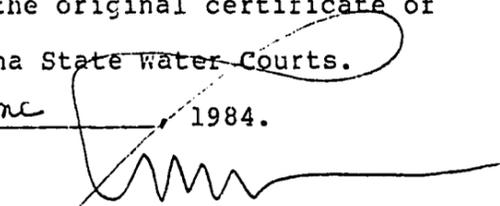
have received certificates of water rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute; (5) all federal land management agencies in the Clark Fork Water Division; (6) all neighboring states of the Clark Fork Water Division; (7) all Indian tribes of the Clark Fork Water Division; (8) the County Clerk or Court and Clerk and Recorder of Flathead, Lake and Missoula counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

ORDERED that the Montana State Water Courts publish the Notice of Availability in newspapers of general circulation in the Swan River Basin, including the Daily Inter Lake at Kalispell; the Flathead Courier at Polson; and the Missoulian at Missoula, Montana, including any advertisement which may bring the Notice of Availability to the attention of the public.

ORDERED that the Department shall make a general certificate of mailing certifying that a copy of notice has been placed in the United States Mail, postage prepaid and addressed to each party required by this Order to be served notice of the Temporary Preliminary Decree.

FINALLY IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 29th day of June, 1984.


ROBERT M. HOLTER
Water Judge
Clark Fork Division

BASIN

76 K

**CERTIFICATE
OF MAILING
NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

Dec. 28, 1984

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

25 SOUTH LEWIS

STATE OF MONTANA

HELENA, MONTANA 59620

(406) 444-6601 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 444-6668 WATER DEVELOPMENT BUREAU
(406) 444-6601 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

February 13, 1985

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Notice of Objections and Request for Preliminary Hearing for the Swan River Basin (Basin 76K). This mailing was conducted December 28, 1984.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

SWAN RIVER BASIN (Basin 76K)

CERTIFICATE OF MAILING

The Notice of Objection and Request for Preliminary Hearing
on the Swan River Basin Temporary Preliminary Decree (Basin 76K)

State of Montana)
) SS:
County of Lewis and Clark)

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that:

A. The Notice of Objection and Request for Preliminary Hearing for
each person filing a claim for the Swan River Basin (Basin 76K) has been placed
in the United States Mail, postage prepaid and addressed to each party as per
the records of the Water Rights Bureau, Department of Natural Resources and
Conservation, December 28, 1984, and updated records of August 9, 1984.

B. The Notice of Objection and Request for Preliminary Hearing for
the Swan River Basin (Basin 76K) has been placed in the United States Mail,
postage prepaid and addressed to each party as per the records of the Water
Rights Bureau, Department of Natural Resources and Conservation, December 28,
1984, and updated records of August 9, 1984, for; (1) all parties in the Swan
River Basin issued permits for water use in that basin pursuant to 85-2-301,
MCA, 1978, or their successor in interest, if known; (2) all parties who have
applied for permits for use of water in the Swan River Basin pursuant to
85-2-301, MCA, 1978; (3) all parties who have been granted a reservation in
the Swan River Basin pursuant to 85-2-316, MCA, 1978; (4) all parties in the

Swan River Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; (5) all federal land management agencies in the Clark Fork Water Division; (6) all Indian Tribes in the Clark Fork Water Division; (7) all neighboring states of the Clark Fork Water Division; (8) the County Clerk of Court and Clerk and Recorder of Flathead, Lake and Missoula Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

This mailing and distribution was made under my direction and control on December 28, 1984.

Dated this 13th day of FEBRUARY 1985.

James E. Kindle
JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

State of Montana)
: ss.
County of Lewis & Clark)

On this 13th day of February 1985, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Judy John
Notary Public for the State of Montana
Residing at Montana City
My commission expires 3-1-85

IN THE WATER COURTS OF THE STATE OF MONTANA
CLARK FORK DIVISION - SWAN RIVER BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWAN RIVER)
DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF THE SWAN RIVER)
IN FLATHEAD, LAKE AND MISSOULA)
COUNTIES, MONTANA.)

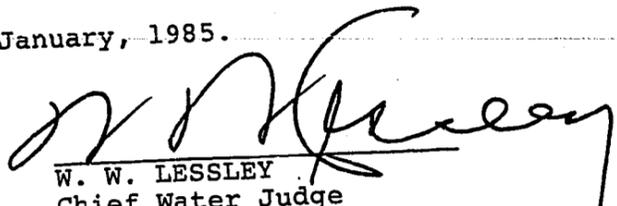
ORDER
DESIGNATING THE DNRC TO MAIL NOTICES OF OBJECTION
AND REQUEST FOR PRELIMINARY HEARING

ORDERED that the Department of Natural Resources and Conservation send by mail to each person and their successor in interest, if known, who was named in the Temporary Preliminary Decree in the Swan River Basin (#76K), a copy of the Notice of Objection and Request for Preliminary Hearing.

ORDERED that the Department of Natural Resources and Conservation shall make a general certificate of mailing certifying that a copy of the Notice has been placed in the United States Mail, postage prepaid, and addressed to each party to be served by this Order.

FINALLY IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 11th day of January, 1985.


W. W. LESSLEY
Chief Water Judge
Montana State Water Courts

NOTICE TO INTERESTED PARTIES

76X

All Federal Land Management Agencies in the Clark Fork Division

Area Director
USDA Forest Service
Federal Building
Missoula, MT 59807

Director
Bureau of Land Management
P.O. Box 36800
Billings, MT 59107

Division Engineer
U.S. Army Corps of Engineers
P.O. Box 103
Downtown Station
Omaha, NE 68101

Regional Director
Bureau of Reclamation
316 N. 26th Street
Room 3035
Billings, MT 59101

Soil Conservation Service
10 West Babcock
Room 443, Federal Building
Bozeman, MT 59715

All Neighboring States of the Clark Fork Division

Director
Department of Water Resources
State Office, 450 West State Street
Boise, ID 83720

All Indian Tribes in the Clark Fork Water Division

Mr. Tom Pablo
Tribal Chairman
Salish-Kootenai Tribes
Pablo, MT 59855

Bureau of Indian Affairs
Flathead Agency
P.O. Box A
Pablo, MT 59855

County Officials

John Van
Clerk of the Court
Flathead County Courthouse
Kalispell, MT 59901

Iris Hindman
Clerk and Recorder
Flathead County Courthouse
Kalispell, MT 59901

Katherine Pedersen
Clerk of the Court
Lake County Courthouse
Polson, MT 59860

Ethel Harding
Clerk and Recorder
Lake County Courthouse
Polson, MT 59860

Bonnie J. Henri
Clerk of the Court
Missoula County Courthouse
Missoula, MT 59801

Fern Hart
Clerk and Recorder
Missoula County Courthouse
Missoula, MT 59801

Other Interested Parties

Department of Natural Resources
Field Office
P.O. Box 860
Kalispell, MT 59903

Pat Barry
Indian Resource Section
U.S. Dept. of Justice
10th and Pennsylvania Ave. NW
Washington, D.C. 20530

U.S. Attorney General
Dept. of Justice Building
Washington, D.C. 20530

Field Solicitor
Room 5931
Federal Building
Billings, MT 59103

G. Steven Brown
Attorney
1313 11th Avenue
Helena, MT 59601

Ted Doney
Attorney
314 N. Last Chance Gulch
Helena, MT 59601

Sherry Matteucci
Crowley Law Firm
P.O. Box 2569
Billings, MT 59103

Swanberg, Kohr, Swanberg &
Matteucci
P.O. Box 2567
Great Falls, MT 59403

Lester Loble
Attorney
P.O. Box 176
Helena, MT 59624

Dr. S. L. Ponce
National Park Service
Federal Building, Room 343
301 S. Howes Street
Fort Collins, CO 80521

John C. Chaffin
U.S. Dept. of Justice
SOL/DER/6045
18th and C Streets NW
Washington, D.C. 20240

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 25486, Denver Fed. Center
Denver, CO 80225

U.S. Attorney
Federal Building
Missoula, MT 59801

Aaron Hostyk
U.S. Army Engineer District Omaha
6014 US. Post Office & Courthouse
Omaha, NE 68102

Tom Luebben
Attorney
P.O. Box 25686
Albuquerque, NM 87125

HKM Associates
Ralph Saunders
P.O. Box 31318
Billings, MT 59107

Tom K. Hopgood
Loble & Pauley, P.C.
P.O. Box 176
Helena, MT 59624

Vern House
Extension Economics
210 Linfield Hall, MSU
Bozeman, MT 59715

Mike Whittington
National Park Service
301 S. Howes Street
Fort Collins, CO 80521

David C. Moon
Attorney
P.O. Box 1288
Bozeman, MT 59715

Michael Zimmerman
Montana Power Co.
40 E. Broadway
Butte, MT 59701

Daniel Decker
P.O. Box 278
Pablo, MT 59855

Lawrence Jakub
Box 7669
Missoula, MT 59807

John A. Mercer
P.O. Box 450
Polson, MT 59860

Gerald A. Troy
1201 Norwest Center
125 N. 27th
Billings, MT 59101

James H. Goetz
Attorney
35 N. Grand
Bozeman, MT 59715

John R. Hill, Jr.
U.S. Dept of Justice
1961 Stout Stree, Drawer 3607
Denver, CO 80294

Tim D. Hall
DNRC
32 South Ewing
Helena, MT 59620

Kyle Ann McGuire
Box 988
Bigfork, MT 59911

IN THE WATER COURTS OF THE STATE OF MONTANA
CLARK FORK DIVISION - SWAN RIVER BASIN (76K)

NOTICE THAT OBJECTIONS HAVE BEEN FILED AND THOSE OBJECTORS
HAVE REQUESTED PRELIMINARY HEARINGS

This is notice that objections have been filed and hearings have been requested on several of the water rights issued in the Swan River Temporary Preliminary Decree. If your water right was objected to by another party, you will receive a special notice of that objection attached to this sheet.

WHAT HAPPENS NEXT?

A hearing will be held on those water rights that have been objected to. You are notified that an individual water right may be altered as a result of a hearing requested by another party.

WE SUGGEST YOU LOOK AT ALL OF THE OBJECTIONS FILED IN THE SWAN RIVER BASIN. THEN YOU CAN DECIDE WHETHER YOU WANT TO APPEAR AND TAKE PART IN ANY HEARINGS. SEE BELOW WHERE YOU CAN SEE THE LIST OF OBJECTIONS FOR YOUR BASIN.

HOW TO APPEAR AND PARTICIPATE IN HEARINGS ON OBJECTIONS

To participate in any hearing on objections filed in this Basin, you MUST file a Notice of Intent to Appear. THAT NOTICE MUST BE ON THE FORMS PROVIDED BY THE WATER COURTS. These forms can be found at the offices listed on page 2.

ALL NOTICES TO APPEAR MUST BE FILED AND RECEIVED BY THE 1st DAY OF February, 1985.

Notices to Appear must be sent to the Water Courts, P.O. Box 879, Bozeman, MT 59715.

The failure to file a Notice may, at the discretion of the Water Judge or Water Master, result in the exclusion of the party at further proceedings or in the continuance of the hearing if the party failing to file appears at the hearing. THOSE PARTIES WHO FILED THE ORIGINAL OBJECTION DO NOT NEED TO FILE A NOTICE OF INTENT TO APPEAR AND PARTICIPATE.

WHERE TO SEE THE LIST OF OBJECTIONS

A listing of all of the objections is available for review at:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Department of Natural Resources and Conservation, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources and Conservation, Field Office, 3220 Highway 93 S., Kalispell, MT 59903
4. Clerk of Court, Flathead County Courthouse, Kalispell, MT 59901
5. Clerk and Recorder, Flathead County Courthouse, Kalispell, MT 59903
6. Clerk of Court, Lake County Courthouse, Polson, MT 59860
7. Clerk and Recorder, Lake County Courthouse, Polson, MT 59860
8. Clerk of Court, Missoula County Courthouse, Missoula, MT 59801
9. Clerk and Recorder, Missoula County Courthouse, Missoula, MT 59801

(Over Please)

A copy of any specific objection in its entirety can be obtained from the Water Courts, P.O. Box 879, Bozeman, MT 59715; phone 586-4364.

If you have other questions, you may call the Water Courts.

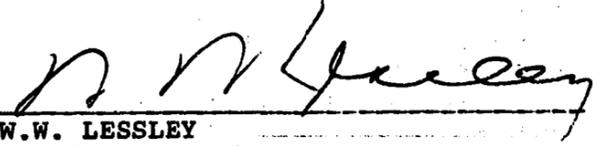
WHAT HAPPENS AFTER?

The Court shall notify those parties who filed an objection or Notice to Appear in a particular preliminary hearing before the time any proceedings are set by the Water Courts.

THE WATER COURT RULES AND FORMS ARE AVAILABLE AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Clerk of Court, Flathead County Courthouse, Kalispell, MT 59901
3. Clerk of Court, Lake County Courthouse, Polson, MT 59860
4. Clerk of Court, Missoula County Courthouse, Missoula, MT 59801

DATED this 28th day of December, 1984.


W.W. LESSLEY
Chief Water Judge
Montana State Water Courts
P.O. Box 879
Bozeman, MT 59715

OBJECTIONS TO THE SWAN RIVER TEMPORARY PRELIMINARY DECREE

76K

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
000377	UT Holland Lake	Confederated Salish & Kootenai Tribes	Ludvig Browman et.al.	Ownership
002514	South Fork, Rumble Creek	United States of America Dept. of Justice, Land & Natural Resource Division	Marilyn G. and Stephen D. Brodie	See Indian Reserved Rights Received 11-29-84
003377	Wolf Creek	Confederated Salish & Kootenai Tribes	Samuel D. Skaggs & Frederick D. Keck	Adjudication
003593	Glacier Creek	USDA Forest Service	Lawrence H. & Irene M. Newman	Acres irrigated, volume or flow rate
003767	Swan River	Montana Dept. Natural Resources and Conservation	Joan & Josephene P. Kirkpatrick	Acres irrigated, volume or flow rate
004892	Cooney Creek	Montana Dept. Natural Resources and Conservation	Grover C. Ligon	Acres irrigated, volume or flow rate
005178	Lion Creek	Robert E. Reed	Robert E. Reed & Charles W. Reynolds	Purpose of right and volume or flow rate
005303	Swan River	Montana Dept. Natural Resources and Conservation	Arthur B. & Maude B. Whitney	Acres irrigated, volume or flow rate

THESE OBJECTIONS TO THE SWAN RIVER TEMPORARY PRELIMINARY DECREE DO NOT CONTAIN ALL OF THE INFORMATION FILED BY AN OBJECTING PARTY. TO OBTAIN A COPY OF AN OBJECTION IN ITS ENTIRETY, CONTACT THE WATER COURTS AT P. O. BOX 879, BOZEMAN, MONTANA 59715 (406) 586-4364.

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
005618	Condon Creek	Montana Dept. Natural Resources and Conservation	Eugene F. & Margaret R. Letstiko	Acres irrigated, volume or flow rate
005747	Condon Creek	Montana Dept. Natural Resources and Conservation	Darlene, Edward & George Beck	Acres irrigated, volume or flow rate
006115	Stream, Swan River	Mars Rolfson	Mars and Verna Rolfson	Volume or flow rate
006116	Stream UT Cedar Creek	Mars Rolfson	Mars and Verna Rolfson	Purpose of right, volume or flow rate
006223	Lindberg Lake	Robert Holzberger	Robert & Catherine Holzberger	Points of diversion, means of diversion
007705	Wolf Creek	Montana Dept. Natural Resources and Conservation	Douglas E. & Dorothy F. Potts	Acres irrigated, volume or flow rate
009083	Elk Creek	Montana Dept. Natural Resources and Conservation	Lawrence H. & Irene M. Newman	Acres irrigated, volume or flow rate
009438	Sp. Trib Wolf Creek	Montana Dept. Natural Resources and Conservation	Theodore E. & Dorcas M. Danford	Acres irrigated, volume or flow rate
012076	Spring Creek	Montana Dept. Natural Resources and Conservation	Robert E. & June F. Underwood	Acres irrigated, volume or flow rate
014247	Meadow Creek	Montana Dept. Natural Resources and Conservation	Margaret, George & Iris Walker	Acres irrigated, volume or flow rate
025626	Bob Creek	Montana Dept. Natural Resources and Conservation	David C. & Ann M. Sward	Acres irrigated, volume or flow rate
028481	Sixmile Creek	Montana Dept. Natural Resources and Conservation	H1 Line Haven Estate - Partnership	Acres irrigated, volume or flow rate
033747	Glacier Creek	Montana Dept. Natural Resources and Conservation	Bernice N. Otto	Acres irrigated, volume or flow rate
034294	Jim Creek	Montana Dept. Natural Resources and Conservation	Melvin D. & Lavera C. Morton	Acres irrigated, volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
039783	Swan River	William W. Sharpe	William W. Sharpe	Ownership, priority date, purpose of right, period of use, place of use, acre irrigated, source
040628	Well	USDA Forest Service	USDA Forest Service	Priority date
042546	Alder Creek	Montana Dept. Natural Resources and Conservation	Alfred C. & Riva M. Wise	Acres irrigated, volume or flow rate
042546	Pony Creek	Alfred C. Wise	Alfred C. Wise	Source, point of diversion
042554	Sub-irr. Trib Meadow Creek	Montana Dept. Natural Resources and Conservation	Thomas J. & Mary C. Heeney	Acres irrigated, volume or flow rate
042555	Meadow Creek	Montana Dept. Natural Resources and Conservation	Thomas J. & Mary C. Heeney	Acres irrigated, volume or flow rate
042556	Sub-irr. Trib Patterson Creek	Montana Dept. Natural Resources and Conservation	Thomas J. & Mary C. Heeney	Acres irrigated, volume or flow rate
042557	Patterson Creek	Montana Dept. Natural Resources and Conservation	Thomas J. & Mary C. Heeney	Acres irrigated, volume or flow rate
042558	Patterson Creek	Montana Dept. Natural Resources and Conservation	Thomas J. & Mary C. Heeney	Acres irrigated, volume or flow rate
045198	Deer Creek	Montana Dept. Natural Resources and Conservation	Arne M. & Alice J. Brosten	Acres irrigated, volume or flow rate
045429	Simpson Creek	Montana Dept. Natural Resources and Conservation	Hamilton D. & Millie K. Hill	Acres irrigated, volume or flow rate
051695	Glacier Creek	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051696	Elk Creek	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051697	Sp Trib Holland Lake	USDA Forest Service	USDA Forest Service	Source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to In Decree</u>	<u>Basis of Objection</u>
051699	Holland Lake	USDA Forest Service	USDA Forest Service	Place of use
051700	Well	USDA Forest Service	USDA Forest Service	Priority date
051708	Holland Lake	USDA Forest Service	USDA Forest Service	Place of use
051709	Holland Lake	USDA Forest Service	USDA Forest Service	Place of use
051710	Holland Lake	USDA Forest Service	USDA Forest Service	Place of use
051711	Holland Lake	USDA Forest Service	USDA Forest Service	Place of use
051712	Holland Lake	USDA Forest Service	USDA Forest Service	Priority date
051729	Well	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051730	Holland Creek	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051731	Barber Creek	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051732	Piper Creek	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051734	Condon Creek	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051735	Lion Creek	USDA Forest Service	USDA Forest Service	Place of use, point of diversion
051738	Swan Lake Well	USDA Forest Service	USDA Forest Service	Priority date
051740	Well	USDA Forest Service	USDA Forest Service	Priority date
098853	Smith Creek	Montana Dept. Natural Resources and Conservation	Jerome & Joan Blank	Acres irrigated, volume or flow rate
099971	Sub-Irr. Trib Beaver Creek	Montana Dept. Natural Resources and Conservation	Horace H. Koessler	Acres irrigated
099971	Trib Beaver Creek	USDA Forest Service	Horace H. Koessler	Priority date, place of use, volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
099972	Holland Creek	USDA Forest Service	Horace H. Koessler	Priority date, purpose of right, place of use, volume or flow rate
099995	Bob Creek	USDA Forest Service	Horace H. Koessler	Place of use, point of diversion
109401	Swan River	Montana Dept. Natural Resources and Conservation	Pacific Power & Light	Volume or flow rate, priority date
109402	Swan River	Montana Dept. Natural Resources and Conservation	Pacific Power & Light	Volume or flow rate, priority date
109609	Owl Creek	Montana Dept. Natural Resources and Conservation	Charley O. & Bernice A. Clark	Acres irrigated, volume or flow rate
110497	UT Swan River	Montana Dept. Natural Resources and Conservation	Thomas D. Heekin	Acres irrigated, volume or flow rate
115341	Beaver Creek	Montana Dept. Natural Resources and Conservation	Leonard G. & Betty L. Troeller	Acres irrigated, volume or flow rate
118414	Swan River	Montana Dept. Natural Resources and Conservation	Kenneth M. & Anne M. Reinhard	Acres irrigated, volume or flow rate
140295	Wolf Creek	Montana Dept. Natural Resources and Conservation	Durwood L. & Peggy J. Boesch	Acres irrigated, volume or flow rate
141494	Carney Creek	Montana Dept. Natural Resources and Conservation	Bruce P. Toole IV	Acres irrigated, volume or flow rate
141615	Swan River	Montana Dept. Natural Resources and Conservation	George D. & Mildred A. Field	Acres irrigated, volume or flow rate
141654	Meadow Creek	Montana Dept. Natural Resources and Conservation	Murten Beeson, et.al.	Acres irrigated, volume or flow rate
142661	Spring	Burlington Northern	Burlington Northern	Priority date, purpose of right, volume or flow rate
143926	Spring	Montana Dept. Natural Resources and Conservation	Wanda F. Ballife	Acres irrigated, volume or flow rate

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to In Decree</u>	<u>Basis of Objection</u>
143927	Well	Montana Dept. Natural Resources and Conservation	Wanda F. Bailile	Acres irrigated, volume or flow rate
143945	Groom Creek	USDA Forest Service	Martha Martin et.al.	Priority date, purpose of right and consumptive use
143946	Groom Creek	Montana Dept. Natural Resources and Conservation	Martha I. Martin	Acres irrigated, volume or flow rate
143948	Gilly Creek	Montana Dept. Natural Resources and Conservation	Martha I. Martin	Acres irrigated, volume or flow rate
143949	Stopher Creek	Montana Dept. Natural Resources and Conservation	Martha I. Martin et.al.	Acres irrigated, volume or flow rate
143951	Grassy Creek	Montana Dept. Natural Resources and Conservation	Martha I. Martin	Acres irrigated, volume or flow rate
143952	Grassy Creek	Montana Dept. Natural Resources and Conservation	Martha I. Martin	Acres irrigated, volume or flow rate
147353	Swan River	Montana Dept. Natural Resources and Conservation	Stephen B. Jette	Acres irrigated, volume or flow rate
150007	Cooney Creek	Montana Dept. Natural Resources and Conservation	Janice E. & Dwayne D. Forder	Acres irrigated, volume or flow rate
150381	Glacier Creek	Montana Dept. Natural Resources and Conservation	Kenneth G. Gregoire et.al.	Acres irrigated, volume or flow rate
150412	Swan River	Montana Dept. Natural Resources and Conservation	Harry Solomon	Acres irrigated, volume or flow rate
169293	Sp. Trib Holland Lake	USDA Forest Service	USDA Forest Service	Source
169294	Sp. Trib Holland Lake	USDA Forest Service	USDA Forest Service	Source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Basis of Objection</u>
169295	Sp. Trib Holland Lake	USDA Forest Service	USDA Forest Service	Source
169296	Sp. Trib Holland Lake	USDA Forest Service	USDA Forest Service	Source
169297	Sp. Trib Holland Lake	USDA Forest Service	USDA Forest Service	Source
169298	Sp. Trib Holland Lake	USDA Forest Service	USDA Forest Service	Source
182422	Spring	Burlington Northern	Burlington Northern	Volume or flow rate
188247	Swan River	US Dept. Interior, Fish & Wildlife Service	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate Objection rec'd. 12-5-84
188248	Spring Creek	US Dept. Interior, Fish & Wildlife Service	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate Objection rec'd. 12-5-84
188249	Bond Creek	US Dept. Interior, Fish & Wildlife Service	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate Objection rec'd. 12-5-84
190563	Swan River	Montana Dept. Natural Resources and Conservation	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate, purpose of right
190563	Swan River	US Dept. Interior, Fish & Wildlife Service	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate, place of use, acres irrigated - objection received 12-5-84
190564	Lime Creek	US Dept. Interior, Fish & Wildlife Service	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate Objection rec'd. 12-5-84
190565	Stopher Creek	US Dept. Interior, Fish & Wildlife Service	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate Objection rec'd. 12-5-84
190566	Lime Creek	US Dept. Interior, Fish & Wildlife Service	US Dept. Interior, Fish & Wildlife Service	Volume or flow rate Objection rec'd. 12-5-84

07/31/84 18/21

NAME VARIATION CHECK-ON-NEW APP & SB76 OWNERS - BASIN 76K

PAGE

6

DAVIES	CAROL	J	ROUTE 1	140 RAINBOW DRIVE	BIGFORK	MT
DAVIES	RICHARD	J	140 RAINBOW DR	140 RAINBOW DRIVE	BIGFORK	MT
DAVIES	DANIEL	A	695 SWAN RIVER RD		BIGFORK	MT
DAY	ELLETTE	J	695 SWAN RIVER RD		BIGFORK	MT
DELGADO	BENILDA	V	8222 PARK AVE		BIGFORK	MT
DELL	JULIO	T	BOX 195		BIGFORK	MT
DENHAM	GORDON	M	P.O. BOX 791		BIGFORK	MT
DEROCHER	BERI	E	749 THREE LN		BIGFORK	MT
DERRICKSON	JAMES	T	225 FERN LN		BIGFORK	MT
DERRICKSON	SHIRLEY	E	225 FERN LN		BIGFORK	MT
DIGGS	ALVA	V	607 W CRESTLINE DR		BIGFORK	MT
DIGGS	DAVID	E	2208 W SCYENE WAY		BIGFORK	MT
DOELL	ROSAMOND	A	BOX 16		BIGFORK	MT
DONTIGNY	KATHLYN	V	RT 1 BOX 269		BIGFORK	MT
DONTIGNY	DONALD	A	ROUTE 1 BOX 269		BIGFORK	MT
DOUGHERTY	ALBERT	W	344 6TH AVE E		BIGFORK	MT
DOUGHERTY	DORIS	J	344 6TH AVE E		BIGFORK	MT
DOWNNEY	DAVID	W	BOX 69		BIGFORK	MT
DOWNNEY	JANET	J	BOX 69		BIGFORK	MT
DRAEGER	LEE	H	104 GREENWOOD LN		BIGFORK	MT
DRAEGER	ELIZABETH	A	BOX 701		BIGFORK	MT
DROUILLARD	JAMES	A	BOX 701		BIGFORK	MT
DUDEK	MARY	A	216 N 3RD DR		BIGFORK	MT
DUNLAP	DONALD	TR	350 NONDORGE RD		BIGFORK	MT
DUNLAP	JOHN	TR	125 SCHOOL ADD RD		BIGFORK	MT
DWYER, JR	JOHN	TR	P.O. BOX 2008		BIGFORK	MT
DYER	BERNICE	TR	592 EASTMAN DR		BIGFORK	MT
EASTMAN	COURTNEY	TR	P.O. BOX 430		BIGFORK	MT
EASTMAN	HAROLD	TR	502 FERNDALE DR		BIGFORK	MT
EBAUGH	DONALD	TR	BOX 430		BIGFORK	MT
EBAUGH	DONALD	TR	502 FERNDALE DR		BIGFORK	MT
EBAUGH	COSY	TR	BOX 430		BIGFORK	MT
EBAUGH	JOHN	TR	502 FERNDALE DR		BIGFORK	MT
EDGE	JOHN	TR	35915 ASHTON PL		BIGFORK	MT
EDGE	JANE	TR	603 LOON LAKE RD		BIGFORK	MT
EDGE	JANE	TR	603 LOON LAKE RD		BIGFORK	MT
EDGERTON	JANE	TR	GENERAL DELIVERY		BIGFORK	MT
EDGERTON	CAROL	TR	2615 LANGOHR AVE		BIGFORK	MT
EICKMAN	NEIL	TR	319 10TH AVE S		BIGFORK	MT
ELIASON	HCMES INC	TR	1045 BEAR CREEK RD		BIGFORK	MT
ELIASON	HCMES INC	TR	1045 BEAR CREEK RD		BIGFORK	MT
ELKHORN	DIRK	TR	BOX 219		BIGFORK	MT
ELKHORN	DIRK	TR	BOX 219		BIGFORK	MT
ELLSMORTH	SHEILA	TR	BOX 219		BIGFORK	MT
ELLSMORTH	SHEILA	TR	BOX 219		BIGFORK	MT
EMERSON	ELEANOR	TR	BOX 219		BIGFORK	MT
EMERSON	ELEANOR	TR	BOX 219		BIGFORK	MT

MT MT

07/31/84 18/21

NAME VARIATION CHECK ON NEW APP 8 SB76 OWNERS - BASIN 76K

NAME	ADDRESS	DATE	SERVICE
RICHMOND	SARAH		
ANDREW	CYNTHIA		
FRANCES	JERRY		
FORREST	NEVA		
DOROTHY	WILLIAM		
DONNA	JEAN		
LENE			
WARRENE			
CHRISTINE			
VIRGIL			
MICHAEL			
ALLEN			
BARRY			
BETTY			
LEONARD			
GEORGE			
HELEN			
PATRICK			
PATRICK			
LEONNA			
LILLIAM			
WILLIAM			
GERALD			
ROBERT			
RONDA			
ROBERT			
LEONARD			
JAMES			
CASPER			
ROBERT			
DON			
PENELOPE			
PETER			
TIM			
BETTY			
ALBERT			

8-19-84

8-14-84

8-13-84

703 1st Ave W conf.

(See new list)

Bales, Kenneth 280 Fonda St, Bepford 59521
Barnell, Robert
Del Hende, Henry, 216 Sherman Ln, Bigfork
Tomasso, Walter S
Tombleck, Loren

APR 11 1961 CHECK FOR MRS. B. G. GARDNER - 59521

12/18/84 20/20

BURGGRAF RICHARD J
 BURKHART ROY
 BURKHART ALASTAIR
 BURLINGTON NORTHERN RAILROAD CO
 BURNS ALASTAIR
 BURNS BARBARA
 BURNS GARY
 BURNS HELEN
 BURNS MALCOLM
 BURNS VIRGIL
 BURTON DONALD
 BURTON DONALD
 BURTON WILLIAM
 BURTON WILLIAM
 BUSCH LORNA
 BUSCH WILLIAM
 BUTTERFIELD GARY
 BUTTERFIELD JAMES
 BUTTS JAMES
 BUTTS NANCY
 BYRD KEITH
 CADA JOSEPH
 CAMERON BONNIE
 CAMPER ROBERT
 CREEK WATER USERS ASSOC
 CAPP S CAGE
 CAPP S CAGE
 CAPP S JEAN
 CARLSON HUGH
 CASH MICHAEL
 CASH JEANETTE
 CAUGHY ANDREA
 CHAMBERS JARICE
 CHAMBERS LUTHER
 CHAMBERMAN DON
 CHASSE MARGARET
 CLAESSE LESTER
 CLARK BERNICE
 CLARK CHARLEY
 CLARK CLARENCE
 CLARK JAMES
 CLARK JUDITH
 CLARK RAMONA
 CLARK RICHARD

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 76K

RAINBOW DR
 PO BOX 127
 PO BOX 127
 PO BOX 579
 223 E QUEENS DR
 11716 OLD CHURCH RD
 BOB MARSHALL DR
 245 WOODLAND AVE
 245 WOODLAND AVE
 BOB MARSHALL WILDERNESS RANCH
 RT 1
 SWAN HILL DR
 12225 MONT 35
 4995 BOX 59A
 RT 1
 SWAN LAK RT
 RR 1
 SWAN LAK RT
 SYLVAN DR
 238 TRINKUS LN
 238 TRINKUS LN
 2855 MONT 83
 RT 1 RED OWL
 RR
 273 HANGING ROCK DR
 273 HANGING ROCK DR
 BOX 19
 973 EASTMAN DRIVE
 973 EASTMAN DRIVE
 1856 EASTMAN DRIVE
 DIAMOND BOON L BAR RANCH
 RT 1 RAINBOW DRIVE
 RT 1 RAINBOW DRIVE
 2404 3RD AVE S
 BOX 1548
 PO 1548
 3611 PADUA AVE
 3611 PADUA AVE
 3611 PADUA AVE
 2722 HOLT DR
 390 W GREENOUGH DR
 1616 W GREENOUGH DR
 BOX 105 HARBOR
 MAYPORT HARBOR
 906 CHARLES ST
 BOX 515 WALTER HAGEN DR
 5517 BOX 93
 20 BOX 93
 787 1ST AVE EN
 906 CHARLO ST
 PO BOX 93
 PO BOX 93

12/18/84 20/20

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 76K

HIGBY	BARBARA	A	ROUTE 1	GILL LN	850 SWAN RIVER RD	BIGFORK	11
HIGBY	KENNETH	L	61 BLUE	GILL LN		BIGFORK	MT
HIGGINS	MARJORIE	L	BOX 328	ST NE	850 SWAN RIVER RD	BIGFORK	MT
HILL	FAY	L	409 3RD	ST NE		BIGFORK	MT
HILL	HAMILTON	L	BOX 328	ST NE		BIGFORK	MT
HILL	OLIVER	L	BOX 1016	AVE E		BIGFORK	MT
HIMMEL	JOYCE	L	1020 3RD	AVE E		BIGFORK	MT
HIMMEL	LINDA	L	575 AERD	LANE		BIGFORK	MT
HIMMEL	ROBERT	L	1060 SWAN	RIVER ROAD		BIGFORK	MT
HIMMEL	DAISY	L	1060 SWAN	RIVER ROAD		BIGFORK	MT
HIMMEL	MAGNUS	L	RT 1 BOX 411	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	ALDINE	L	RT 1 BOX 411	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	ALDINE	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	LLOYD	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	AME	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	DINE	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	LITAM	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	EVELYN	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	CHEN	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	DMIGHT	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	ROY	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	JAMES	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	FLORENCE	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	ROBERT	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	EDWARD	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	GLENN	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	HILMERINE	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	CATHERINE	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	ROBERT	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	THOMAS	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	PATRICIA	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	VAL	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	ALEX	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	JOSEPH	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	VIRGINIA	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	JACK	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	ROBERT	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	SANDY	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	WESLEY	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	WILLIAM	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	AVIS	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	JACK	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	LYLE	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	MARION	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	BARBARA	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	RICHARD	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	THOMAS	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	KARL	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	EDYTHE	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT
HIMMEL	PUNT	L	PO BOX 735	SWAN RIVER ROAD		BIGFORK	MT

PAGE

11

Burlington	Donald L.	1322 4 th	Seattle, WA.
Cavic	Andrew R.	1703 Duran Hwy.	Katahdin, Mt.
Cottle	Edward D.	Box 483	Beaufort, Mt.
Culver		822 Park ave.	Big Fork, Mt.
D. J.		822 Park ave.	Wittigish, Mt.
Delgado	Bonifida	822 Park ave.	Wittigish, Mt.
Delgado	Jules	350 Monropege Rd.	Fairfield, CT.
Dwyer, Jr.	Donald W.	Duran Lake, Mt.	
Ensign	William D.		
F. Lombardi	Andrew		
Felando	Carol	Box 54	Big Fork, Mt.
Gabrilson	Harold	Box 2400 Hwy 63 N.	Wittigish, Mt.
Gorbisq	Garrison		Duran Lake, Mt.
Hallensson	Harold	1245 3 mile Dr.	Katahdin, Mt.
Hansen Trustee	Patricia		Moosea, Mt.
Haug	Albert	2526 Gilbert	
Arnold	Helena		

3505 28VA WVA
 1088 ROCKY CLIFF DR
 1088 ROCKY CLIFF DR
 PARK FLORIDA 32709
 PO BOX 452

3505 28VA WVA
 1088 ROCKY CLIFF DR
 1088 ROCKY CLIFF DR
 PARK FLORIDA 32709
 PO BOX 452

FOR RENT DR
 1088 ROCKY CLIFF DR
 PARK FLORIDA 32709
 PO BOX 452

FOR RENT DR
 1088 ROCKY CLIFF DR
 PARK FLORIDA 32709
 PO BOX 452

Name	Address	Location
Robinson	Box 750	Big Fork, mt.
Joseph	" "	" "
Kenzie	725 Fendula Dr.	Big Fork, mt.
James	725 Fendula Dr.	Big Fork, mt.
Thomas	66 Kenley Dr.	Big Fork, mt.
William	Hilcrest	Polson, mt.
Nowlin	D. J. Hill	Kalispell, mt.
Estata	Box 721	Kalispell, mt.
Toni K.	R.R. Seeley Lake	Polson, mt.
Margie Y.	Box 1355	" "
Richard L.	" "	Big Fork, mt.
Henry C.	Rt. 1 Box 136	" "
Henry C.	695 Echo Tr. Rd.	Polson, mt.
Samuel G.	4351 Alla Rd. #3	Polson, mt.
Glen A.	305 Middle Lake Rd.	Big Fork, mt.
Ross E.	3248 Simon Hwy	" "
Robert	Simon Lake, mt.	" "
Robert	Box 54	Big Fork, mt.
Walter S.	1579 Lincoln Ave.	appt. 10 San Rafael, CA.
William J.	2604 South Kendall	Sioux Falls, S.D.

AMERICAN VARIATION CHECK ON NEW 194 & 2838 CAMELS 2821M 18K

BASIN 76K

AMENDED CERTIFICATE
OF MAILING
PRELIMINARY DECREE

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

(406) 444-6601 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 444-6668 WATER DEVELOPMENT BUREAU
(406) 444-6601 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

March 4, 1985

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the amended certificate of mailing for the Notice of Entry and Availability for the Temporary Preliminary Decree for the Swan River Basin (Basin 76K). This mailing was conducted from 8-9-84 to 12-28-84.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

SWAN RIVER BASIN (Basin 76K)

AMENDED CERTIFICATE OF MAILING

Notice of Entry of Temporary Preliminary Decree and
Notice of Availability for the Swan River Basin (Basin 76K)

State of Montana)
) SS:
County of Lewis and Clark)

I, JAMES E. KINDLE, Records Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation of the State of Montana, hereby certify that all return mail for the Notice of Entry of Temporary Preliminary Decree and Notice of Availability for the Swan River Basin (Basin 76K) has been researched by the water rights field offices and that based on their research the following has been sent, postage prepaid, first class, United States Mail:

A. For persons filing claims;

1. owner address changes only. Based on research, all parties have been sent the Notice of Entry of Temporary Preliminary Decree and Notice of Availability of the Temporary Preliminary Decree. When address changes were confirmed by the claimants to the Department, abstracts showing dispositions of each party's filings have also been sent;

2. transferred owners. Based on research, all apparent successors in interest for water rights concerning return mail have been sent the Notice of Entry of Temporary Preliminary Decree and Notice of Availability of the Temporary Preliminary Decree and Water Right Transfer Certificate forms.

B. For post July 1, 1973 water rights;

1. all parties in the Swan River issued permits for water use in that Basin pursuant to 85-2-301, MCA, 1978, or their successor in interest;

2. all parties who have applied for permits for the use of water in the Swan River Basin pursuant to 85-2-301, MCA, 1978;

3. all parties who have been granted a reservation in the Swan River Basin pursuant to 85-2-316, MCA, 1978;

4. all parties in the Swan River Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; the following has been sent:

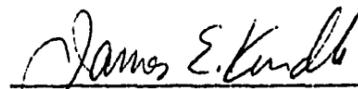
a. owner address changes only. Based on research, all parties have been sent the Notice of Entry of Temporary Preliminary Decree and Notice of Availability of the Temporary Preliminary Decree;

b. transferred owners. Based on research, all apparent successor in interest for water rights concerning return mail have been sent the Notice of Entry of Temporary Preliminary Decree and Notice of Availability of the Temporary Preliminary Decree and Water Right Transfer Certificate forms.

This mailing and distribution was made under my direction and control from 8-9-84 to 12-28-84.

Original documents concerning return mail, envelopes, research, correspondence, field office confirmation and field office certification of mailing can be found in original files and microfilm files.

Dated this 4th day of MARCH 1985.


JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

attachment

Log of noticed water right owners in the basin

State of Montana)
: ss.
County of Lewis & Clark)

On this 4th day of March, 1985, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Judy Loh
Notary Public for the State of Montana
Residing at Montana City, MT
My commission expires 3-1-88

ATTACHMENT TO THE AMENDED CERTIFICATE OF MAILING FOR THE TEMPORARY
AND/OR PRELIMINARY DECREE FOR

BASIN 76 K

FOR RETURN MAIL LIST, SEE THE NAME VARIATION LIST GENERATED AT THE
TIME OF THE TEMP. AND/OR PRE. DECREE MAILING WHICH IS ATTACHED TO
THE CERTIFICATE OF MAILING FOR THE NOTICE OF OBJECTION AND REQUEST
FOR PRELIMINARY HEARING.

Amended
CERTIFICATE

BASIN

76 K

**OF MAILING
NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

FILMED

JAN 15 1986

BY _____

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



TED SCHWINDEN, GOVERNOR

1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699

HELENA, MONTANA 59620

January 13, 1986

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the amended certificate of mailing for the Notice of Objection and Request for Preliminary hearing for the Temporary Preliminary Decree for the Swan River Basin (Basin 76K). This mailing was conducted December 28, 1984 to January 13, 1986.

Sincerely,

A handwritten signature in cursive script that reads "Jim".

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

CENTRALIZED SERVICES
DIVISION
(406) 444-6700

CONSERVATION DISTRICTS
DIVISION
(406) 444-6667

ENERGY
DIVISION
(406) 444-6697

OIL AND GAS
DIVISION
(406) 444-6675

WATER RESOURCES
DIVISION
(406) 444-6601

SWAN RIVER BASIN (Basin 76K)

AMENDED CERTIFICATE OF MAILING

Notice of Objection and Request for Preliminary Hearing for the
Temporary Preliminary Decree for the Swan River Basin
(Basin 76K)

State of Montana)
) SS:
County of Lewis and Clark)

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that all return mail for the Notice of Objection and
Request for Preliminary Hearing for the Temporary Preliminary Decree for the
Swan River Basin (Basin 76K) has been researched by the water rights field
offices and that based on their research the following has been sent, postage
prepaid, first class, United States Mail:

- A. For persons filing claims;
 - 1. owner address changes only. Based on research, all parties in
the Swan River Basin have been sent the Notice of Objection and Request for
Preliminary Hearing for the Temporary Preliminary Decree.
 - 2. transferred owners. Based on research, all apparent successors in
interest in the Swan River Basin for water rights concerning return mail have
been sent the Notice of Objection and Request for Preliminary Hearing for the
Temporary Preliminary Decree and Water Right Transfer Certificate forms.
- B. For post July 1, 1973 water rights;
 - 1. all parties in the Swan River Basin

issued permits for water use in that Basin pursuant to 85-2-301, MCA, 1978, or their successor in interest;

2. all parties who have applied for permits for the use of water in the Swan River Basin pursuant to 85-2-301, MCA, 1978;

3. all parties who have been granted a reservation in the Swan River Basin pursuant to 85-2-316, MCA, 1978;

4. all parties in the Swan River Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; the following has been sent:

a. owner address changes only. Based on research, all parties have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree;

b. transferred owners. Based on research, all apparent successors in interest for water rights concerning return mail have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree and Water Right Transfer Certificate forms.

This mailing and distribution was made under my direction and control from December 28, 1984 to January 13, 1986.

Original documents concerning return mail, envelopes, research, correspondence, field office confirmation and field office certification of mailing can be found in original files and microfilm files.

Dated this 13th day of JANUARY 1986.



JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

attachment

Log of noticed water right owners in the basin

State of Montana)
: ss.
County of Lewis & Clark)

On this 13th day of JANUARY 1986, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

John P. Olson

Notary Public for the State of Montana
Residing at Helena
My commission expires 12.1.1986

ATTACHMENT TO THE AMENDED CERTIFICATE OF MAILING FOR THE NOTICE OF
OBJECTION AND REQUEST FOR PRELIMINARY HEARING

BASIN 76K

FOR THE NAME VARIATION LIST, SEE THE CERTIFICATE OF MAILING FOR THE
NOTICE OF OBJECTION AND REQUEST FOR PRELIMINARY HEARING.

DIFFERENCES BETWEEN THE FOLLOWING RETURN MAIL LIST AND THE ONE WITH THE
AMENDED CERTIFICATE OF MAILING FOR THE TEMP. AND/OR PRE. DECREE INDICATE
THE RETURN MAIL FOR THE OBJECTION NOTICE.

